

Volume 64 p. 1 - 303

Meeting

November 12, 1998
3871st

- Meeting

September 2, 1999
3904th

Volume 64

Record of the Three Thousand Eight Hundred and Seventy First (3871st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 12, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 29, 1998 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement No. WM97-033-X1A, dated November 12, 1998, with Viewpoint Engineering, Inc., for Septic System Database Project.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Haider, October 29, recommending approval of Extra Work Order No. 10 - for installation of a dectron semi-hermetic compressor, with associated parts - at a cost of \$18,940.00, on Contract No. P97-1916-M1A, with P. J. Kennedy & Sons, Inc., for Servicing of HVAC Systems at Various MDC Facilities within the Metro Parks System.
(At no increase in contract cost as the extra work will be offset by unused quantities in Extra Work Order Nos. 3, 4, 5, 6, 7, 8 and 9).
The Commission V O T E D: to approve Extra Work Order No. 10, in the amount of \$18,940.00.

3. Report of Messrs. Faucher and Thurlow, October 13, recommending the following on Contract No. P98-1942-M1A, with Northern Tree Service, Inc., for Fertilization of Trees at Various MDC Locations -

- (a) That work be accepted as completed as of August 31, 1998.
- (b) That Estimate No. 1 (Final), in the amount of \$35,492.00, be approved for payment.
- (c) That reserve, in the amount of \$1,868.00, be approved for payment.

(Basis of Award - \$37,360.00)

(Amount to Date - \$37,360.00)

(Contract Performance Rating - 4.00)

(EEO Compliance - 3.75)

The Commission V O T E D: that the work of Northern Tree Service, Inc., Contractor under Contract No. P98-1942-M1A, be and hereby is accepted as completed as of August 31, 1998.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$35,492.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,868.00, for payment.

4. Report of Messrs. Faucher and Jackson, October 29, recommending

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approval of the request of McCourt Construction Company, contractor on Contract No. P95-1784-C3A, for South Boston Beaches Rehabilitation - Phase 2, to engage the services of the following sub-contractors -

| | |
|--|--------------|
| <u>Spector Metal Products Co., Inc.</u> | |
| Guard Rail and Handrail Fabrication & Installation | \$117,660.00 |
| <u>L & C Flashing Barricades</u> | |
| Pavement Markings and Signage | \$ 17,120.75 |
| <u>Steelco Chain Link Fence Co.</u> | |
| Furnishing and Installing Chain Link Fence | \$ 4,790.00 |

(At no increase in Contract cost).

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Jackson in their report of October 29, 1998.

1. Report of Messrs. Faucher and DiRamio, November 2, recommending approval of the request of B & E Construction Corporation, contractor on Contract No. P95-1783-C1A, for Rehabilitation of Constitution Beach, East Boston, to engage the services of the following sub-contractors -

| | |
|--|--------------|
| <u>Spector Metal Products Co., Inc.</u> | |
| Bridge Railings and Barrier | \$327,000.00 |
| <u>Superior Steel Company</u> | |
| Rebars | \$ 50,500.00 |
| <u>New England Foundations Co., Inc.</u> | |
| Drilled Shaft Foundations | \$326,400.00 |

(At no additional Contract cost).

The Commission V O T E D: Approved as recommended by Messrs. Faucher and DiRamio in their report of November 2, 1998.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Mr. McGinn and Vignaly, October 20, recommending the following on Contract No. WM98-027-S1A, with U.S. Department of the Interior, Geological Survey, for Stream Gauging and Well Monitoring -
 - (a) That work be accepted as completed as of September 30, 1998.
 - (b) That Invoice No. 944250082, be approved for payment.
 - (Basis of Award - \$50,410.00)
 - (Amount to Date - \$50,410.00)
 - (Contract Performance Rating - 8.00 with 10.00 being excellent)
 - (EEO Compliance - N/A)

The Commission V O T E D: that the work of the U.S. Department of the Interior, Geological Survey, Contractor under Contract No. WM98-027-S1A, be and hereby is accepted as completed as of September 30, 1998.

The Commission further V O T E D: to approve Invoice No. 944250082, for payment.

Action was taken upon the following Various Matters:

3. Report of Ms. Overton and Mr. Traficante, November 6, recommending approval of Amendment No. 3, for the requirement to continue providing the testing program on Contract No.

approval of the request of McGraw Construction Company, Contractor on Contract No. 155-154-03A, for South Boston Beaches Rehabilitation - Phase 2, to engage the services of the following sub-contractors -

Speedy Metal Products Co., Inc.
Guard Rail and Handrail Fabrication & Installation \$117,800.00
L & C Plastering Contractors
Plastering Workings and Signage \$ 17,125.75
Wholesale Chain Link Fence Co.
Furnishing and Installing Chain Link Fence \$ 4,100.00

(At no increase in contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Paucher and Dismore in their report of October 12, 1938.

Report of Messrs. Paucher and Dismore, November 5, recommending approval of the request of S. A. McGraw Construction Company, Contractor on Contract No. 155-154-03A, for Rehabilitation of South Boston Beach, East Boston, to engage the services of the following sub-contractors -

Speedy Metal Products Co., Inc.
Bridge Railings and Barrier \$117,800.00
Wholesale Steel Company
Rebars \$ 50,500.00
New England Foundations Co., Inc.
Drilled Shaft Foundations \$325,400.00

(At no additional contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Paucher and Dismore in their report of November 5, 1938.

Action was taken upon the following matter relating to the Waterfront Management Division:

Report of Mr. McGraw and Vignaly, October 18, recommending the following on Contract No. WMS-027-81A, with U.S. Department of the Interior, Geological Survey, for Stream Gauging and Well Monitoring -

(a) That work be accepted as completed as of September 30, 1938.
(b) That Invoice No. 94450082, be approved for payment.
(Basis of Award - \$20,470.00)
(Amount to Date - \$20,470.00)
(Contract Performance Rating - 8.00 with 10.00 being excellent)

(250 Compliance - N/A)
The Commission V O T E D: That the work of the U.S. Department of the Interior, Geological Survey, Contractor under Contract No. WMS-027-81A, be and hereby is accepted as completed as of September 30, 1938.
The Commission further V O T E D: to approve Invoice No. 94450082, for payment.

Action was taken upon the following various matters:

Report of Mr. Overton and Mr. Traill, November 4, recommending approval of Amendment No. 3, for the replacement to continue providing the tested program of Contract No.

P97-1900-X1A, with Health Resources Corporation, for Drug and Alcohol Testing Program for Commercial Driver License (CDL) Holders.

Cost - \$27,600.00.

Time Extension - to November 30, 1999.

Account No. 2440-0010.

The Commission V O T E D: Approved.

1. Report of Mr. Jewett, November 3, recommending approval of Contract Services (WM99-101) with Vanasse Hangen Brustlin, Inc., for Environmental Site Assessment Services - MDC Property/Muddy Pond Road, Sterling.
Lump Sum Fee of \$8,900.00.
Time for Performance - one month.
Account No. 2420-1400.
The Commission V O T E D: Approved.
2. Report of Mr. Jewett, November 9, requesting approval of Contract Services with Coneco Environmental Corporation, for Environmental Site Investigation Services - MDC Property - Marine Park, South Boston.
Cost Not-to-Exceed - \$7,435.00.
Time for Performance - three to four weeks.
Account No. 2441-9952.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of Real Property:

3. Report of Mr. Gray, November 9, revising his recommendation of October 23, 1998, by recommending that the Commission approve the execution a License for Entry Agreement with the Massachusetts Bay Transportation Authority, for the installation and operation of the temporary Peter J. Kelly Rink off Marbury Terrace in the Jamaica Plain section of the City of Boston, pursuant to and in accordance with the provisions of said Agreement, once said Agreement is finalized, and to authorize Commissioner Balfour to execute such final Agreement on behalf of the Commission; and to further vote to approve the execution of all contracts awarded by the Commission relating to the installation and operation of the temporary Peter J. Kelly Rink, and to authorize Commissioner Balfour to execute such contracts on behalf of the Commission. Funds for costs associated with this project are provided within Account No. 2440-9812.
The Commission V O T E D: to approve the execution of a License for Entry Agreement with the Massachusetts Bay Transportation Authority, for the installation and operation of the temporary Peter J. Kelly Rink off Marbury Terrace in the Jamaica Plain section of the City of Boston, pursuant to and in accordance with the provisions of said Agreement, once said Agreement is finalized, and to authorize Commissioner Balfour to execute such final Agreement on behalf of the Commission.
The Commission further V O T E D: to approve the execution of all contracts awarded by the Commission relating to the installation and operation of the temporary Peter J. Kelly Rink, and to

827-1986-KIA, with Health Research Corporation, for Drug and Alcohol Testing Program for Commercial Driver License (CCL) Holders.
Cost - \$27,500.00.
Time Extension - to November 15, 1959.
Account No. 2440-0018.
The Commission V O T 2 is approved.

Report of Mr. Javert, November 1, recommending approval of Contract Services (827-1981) with Vanasse Hangen Brustlin, Inc., for Environmental Site Assessment Services - New Technology Fund and Road, Seattle.
Time for performance - one month.
Account No. 2440-1400.
The Commission V O T 2 is approved.

Report of Mr. Javert, November 1, recommending approval of Contract Services with Conoco Environmental Corporation, for Environmental Site Investigation Services - New Technology Fund and Road, Seattle.
Cost not-to-exceed - \$1,452.00.
Time for performance - three to four weeks.
Account No. 2441-3922.
The Commission V O T 2 is approved.

Action was taken upon the following matter relating to the Office of Real Property:

Report of Mr. Gray, November 9, revealing his recommendation of October 23, 1958, by recommending that the Commission approve the extension of a license for Harry Agnew and his associates to operate a transportation authority, for the installation and operation of the temporary Peter J. Kelly Park off Highway 100 in the Seattle area section of the City of Seattle, pursuant to and in accordance with the provisions of said agreement, and to the Agreement is attached, and to authorize the Commission to enter into an agreement on behalf of the Commission; and to further vote to approve the extension of all contracts awarded by the Commission relating to the installation and operation of the temporary Peter J. Kelly Park and to authorize the Commission to enter into an agreement on behalf of the Commission, and to provide for costs associated with this project are provided within Account No. 2440-2412.

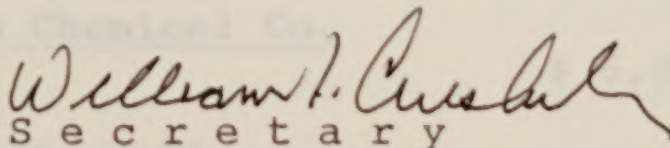
The Commission V O T 2 is approved. The extension of a license for Harry Agnew and his associates to operate a transportation authority, for the installation and operation of the temporary Peter J. Kelly Park off Highway 100 in the Seattle area section of the City of Seattle, pursuant to and in accordance with the provisions of said agreement, and to the Agreement is attached, and to authorize the Commission to enter into an agreement on behalf of the Commission; and to further vote to approve the extension of all contracts awarded by the Commission relating to the installation and operation of the temporary Peter J. Kelly Park and to authorize the Commission to enter into an agreement on behalf of the Commission, and to provide for costs associated with this project are provided within Account No. 2440-2412.

authorize Commissioner Balfour to execute such contracts on behalf of the Commission.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Doak, November 6, submitting for approval and execution of Permit Agreement between the MDC and Slopes, Inc., for operation of the down hill skiing area, within the Blue Hills Reservation, Canton, for the period December 1, 1998 to April 1, 2000. Compensation to the Commission in the form of labor to be provided by Slopes, Inc., for repairs and improvements to the facility in the value of \$40,000.00.
Associate Commissioner Wu asked if Slopes, Inc., is in arrears in payment of any permit fees to the Commission.
Mr. Jewett stated that Slopes, Inc., is up to date on permit fees. However, he explained, Recreational Sports, Inc., the Beers prior business corporation and former operator of the Blue Hills Ski Area, owes the Commission between \$10,000.00 and \$11,000.00, for a prior permit.
Mr. McDonald, Acting General Counsel, noted the matter is in a bankruptcy proceeding.
Associate Commissioner Settles addressed the matter of liability insurance for the operator. He asked that the permit be withheld until such time as the insurance certificate and policy are received by the Commission and reviewed and approved by appropriate staff.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Permit Agreement, dated November 12, 1998, with Slopes, Inc., which was signed by the Commissioner and two Associate Commissioners.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Adjourned at 10:30 a.m., to meet on Thursday, November 19, 1998, at 9:00 a.m.


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Associate Commissioner Bickert is expected to exercise such controls on behalf of the Commission.
Associate Commissioner Bickert did not participate in discussion nor vote on this matter.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

Report of Mr. Cook, November 5, submitting for approval and execution of Permit Agreement between the HCC and Slopes, Inc., for operation of the John Hill Skiing area, within the John Hill Reservation, Canyon, for the period December 1, 1938 to April 1, 1939. Compensation to the Commission in the form of labor to be provided by Slopes, Inc., for repairs and improvements to the facility in the value of \$40,000.00.
Associate Commissioner Bickert asked if Slopes, Inc., is in arrears in payment of any permit fees to the Commission.
Mr. Jewett stated that Slopes, Inc., is up to date on permit fees. However, he explained, Recreational Sports, Inc., the Bears prior business corporation and former operator of the John Hill Ski Area, owes the Commission between \$10,000.00 and \$11,000.00, for a prior permit.
Mr. McDonald, Acting General Counsel, noted the matter is in a bankruptcy proceeding.
Associate Commissioner Bickert addressed the matter of liability insurance for the operator. He asked that the permit be withheld until such time as the insurance certificate and policy are received by the Commission and reviewed and approved by appropriate staff.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Permit Agreement, dated November 15, 1938, with Slopes, Inc., which was signed by the Commissioner and two Associate Commissioners.
Associate Commissioner Bickert did not participate in discussion nor vote on this matter.

Adjourned at 10:30 a.m., to meet on Thursday, November 17, 1938, at 9:00 a.m.

William J. Bickert
Secretary

Record of the Three Thousand Eight Hundred and Seventy Second (3872nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 19, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on November 5, 1998 were read and approved.

The Secretary submitted for signature the following papers which was signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement No. P97-1905-D1A, dated November 19, 1998, with Vollmer Associates LLP, for Design Services for Rehabilitation of the Thompson Center for the Disabled, Stony Brook Reservation, Hyde Park.
2. Third Amendment, dated November 19, 1998, to Contract-Agreement No. P97-1900-X1A, with Health Resources Corporation, for Drug and Alcohol Testing Program for Commercial Driver License (CDL) Holders.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Lenhardt, November 2, recommending approval of the request of WES Construction Corp., general contractor, on Contract No. PL97-044-C1A, for Pope John Paul II Park/Phase 1, Neponset River Reservation, to engage the services of the following sub-contractors -

Drew Electric Co., Inc.

| | |
|----------------------|-------------|
| Item No. 45 | \$12,000.00 |
| Site Electrical Work | |

Great Meadow Farm

| | |
|------------------------------------|-------------|
| Item Nos. 16,17, 18 & 19 | \$45,000.00 |
| Installation of Salt Marsh Grasses | |

Waltham Chemical Co.

| | |
|----------------|-------------|
| Item No. 1 | \$ 6,000.00 |
| Rodent Control | |

(At no increase in Contract cost).

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lenhardt in their report of November 2, 1998.

4. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, November 4, recommending approval of the action of Acting Director Faucher, resulting in Extra Work Order No. 6 - for waterproofing the concrete saddle at curbing adjacent to planting bed areas - at a cost of \$4,598.07, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park. (At no increase in contract cost as the extra work will be offset by unused quantities in Item Nos. 003-080 - Free Draining Fill, 003-040 - Crushed Run Stone and 039-160 - Intercom System). The Commission V O T E D: to approve the action of Acting Director Faucher, which resulted in Extra Work Order No. 6, on

Contract No. PL82-1022-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of \$4,598.07.

1. Report of Messrs. Faucher and Lenhardt, November 13, recommending approval of the request of WES Construction Corp., general contractor, on Contract No. PL97-044-C1A, for Pope John Paul II Park/Phase I, to engage the services of the following sub-contractors -

Ted Soini Landclearing

Site Preparation \$25,000.00

Judith Nitsch Eng., Inc.

Site Preparation \$15,000.00

(At no increase in Contract cost).

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lenhardt in their report of November 13, 1998.

2. Report of Mr. Faucher and Mrs. Pomorska, November 3, recommending approval of a revision in quantities on Item No. 017-010 - For Detector Lead-In Cable - at a cost of \$500.00, on Contract No. P98-1926-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems, Middlesex Fells and Revere Beach Districts.

(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 002-010 - Materials, Components, Parts and Controls).

The Commission V O T E D: Approved.

3. Report of Mr. Faucher and Mrs. Graves-Jones, November 10, recommending approval of revisions in quantities as follows on Contract No. P98-1924-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC -

Item No. 003-010 \$46,980.00

4" Reflectorized Line (Thermoplastic)

Item No. 005-010 \$ 988.00

Reflectorized Line (Thermoplastic)

Item No. 010-010 \$ 2,032.00

Traffic Control Services

Total - \$50,000.00

Account No. 2490-0017.

The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Jackson, November 10, requesting approval of funding in an amount not-to-exceed \$30,000.00, for procurement of materials and services for the MDC's exhibit at the 1999 Massachusetts Horticultural Society Flower Show, Project No. P93-1678-X7A.

Account No. 2448-0052.

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Jackson in their report of November 10, 1998.

5. Report of Ms. Overton and Messrs. Faucher and Orfant, November 12, requesting authorization to enter into Contact No. P96-1839-D2A, with Tsokanis Architects, Inc., for design services

required for the George's Island Picnic Pavilion Completion.
Lump Sum for Design Services - \$2,000.00.

They further request authorization for Commissioner Balfour to execute the contract on behalf of the Commission.

Account No. 2440-8956.

The Commission V O T E D: authorization to enter into Contact No. P96-1839-D2A, with Tsokanis Architects, Inc., for design services required for the George's Island Picnic Pavilion Completion.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the contract on behalf of the Commission.

1. Report of Messrs. Faucher, Brooks and Balicki, November 19, requesting that the Commission amend its vote of October 22, 1998, by increasing the basis of award on Contract No. P99-1972-X2A, from \$86,200.00 to \$89,800.00, with Williams Scotsman, Inc., to Supply and Install Trailer and Modular Structures for the Temporary Peter Kelly Ice Rink, Jamaica Plain. (The increase, in the amount of \$3,600.00, is necessary due to additional freight cost).

Funds are available in Account No. 2440-9812.

The Commission V O T E D: to amend its vote of October 22, 1998, by increasing the basis of award on Contract No. P99-1972-X2A, from \$86,200.00 to \$89,800.00, with Williams Scotsman, Inc., to Supply and Install Trailer and Modular Structures for the Temporary Peter Kelly Ice Rink, Jamaica Plain, as recommended by Messrs. Faucher, Brooks and Balicki, in their report of November 19, 1998.

Action was taken upon the following matters relating to the Watershed Management Division:

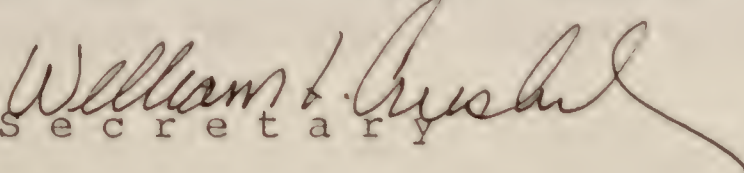
2. Report of Messrs. McGinn and Kane, November 10, recommending approval and execution of Amendment No. 1, which increases the upset limit from \$39,921.00 to \$61,084.00 and extends the time of service from November 30, 1998 to August 31, 1999, in order to evaluate an Alternate design and associated work on Contract No. WM95-085-D1A, with GZA GeoEnvironmental, Inc., for Design and Construction Services, Boat Cove, Wachusett Reservoir.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 1, dated November 19, 1998, to Contract No. WM95-085-D1A, with GZA GeoEnvironmental, Inc., which was signed by the Commissioner and four Associate Commissioners.
3. Report of Messrs. McGinn and Scannell, August 4, requesting approval of Amendment No. 3, to Contract No. WM95-060-X1A, with SEA Consultants, Inc., for Pilot On-Site Remediation Program, which calls for an increase in cost of \$243,500.00, which brings total to an amount not-to-exceed \$415,000.00, and an extension of time from December 1, 1998 to December 31, 2000.
They further request authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
Account No. 2420-1400.
The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, November 16, on behalf of the Consultant Selection Committee, requesting approval of the selection of Carol R. Johnson Associates, Inc., for Contract No. PL92-017-D2A, for Upper Charles River Reservation Restoration - Phase 2 Design.
Compensation - not-to-exceed - \$200,000.00 - subject to negotiation.
Time for Performance - twenty four months.
Account No. 2490-0017.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of November 16, 1998.
2. Report of Mrs. O'Brien and Mr. Driscoll, November 13, requesting approval and execution of an Amendment to Contract No. PL-93-026-D1A, with Berkshire Design Group, for Blair Pond Master Plan, which calls for an extension of time from November 30, 1998 to December 31, 1999.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated November 19, 1998, to Contract No. PL-93-026-D1A, with Berkshire Design Group, which was signed by the Commissioner and four Associate Commissioners.
3. Report of Mr. McDonald, November 17, requesting approval and ratification of his action in executing a Tolling Agreement with the Town of Clinton and the Massachusetts Water Resources Authority, to temporarily suspend the time Clinton is required to file a law suit relating to quality of water received by Clinton from the Wachusett Reservoir.
The Commission V O T E D: to approve and ratify the action of Mr. McDonald, MDC Acting General Counsel, in executing a Tolling Agreement with the Town of Clinton and the Massachusetts Water Resources Authority, to temporarily suspend the time Clinton is required to file a law suit relating to quality of water received by Clinton from the Wachusett Reservoir.
4. Report of Mr. Gray and Mrs. O'Brien, November 17, recommending that the Commission approve the execution of a new Permit with the Cambridge Boat Club, and authorize the Secretary to sign the Permit and all related documents on behalf of the Commission.
The Commission V O T E D: to approve the execution of a new Permit with the Cambridge Boat Club.
The Commission further V O T E D: to authorize the Secretary to sign the Permit and all related documents on behalf of the Commission.

Adjourned at 9:55 a.m., to meet on Thursday, December 3, 1998, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Seventy Third (3873rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 3, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on November 12, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Griffin, November 25, recommending approval of the request of R.H.D. Construction Co., Inc., general contractor, on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, to engage the services of the following sub-contractors -

East Coast Rent A Fence

Item No. 043-010 \$12,000.00

Furnish and Install Construction Fence

A., Inc. (formerly Fragale Construction)

Item No. 010-010 \$26,000.00

Install Brick Pavers and Recess for Bronze Plaques

(At no increase in Contract cost).

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Griffin in their report of November 25, 1998.

Report of Messrs. Faucher and Griffin and Mrs. O'Brien, November 19, recommending approval of revisions in quantities on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park, as follows -

Item No. 003-090 \$13,200.00

Loam Borrow for Lawn Areas

Item No. 021-010 \$19,090.00

Sodding

Item No. 030-010 \$ 330.00

Steel Edging

Item No. 030-040 \$ 550.00

Grate for Fish Ladder and Selective Removal of Concrete

Total - \$33,170.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 007-010 - Treated Timber for Wooden Dock).

The Commission V O T E D: Approved.

Report of Messrs. Faucher and Griffin and Mrs. O'Brien, November 24, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 7 - for installation of piping for an oil/water separator at the Charles River Dam - at a cost of \$2,388.22, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park. (At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 002-215 - removal of wooden dock).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 7 on Contract No. PL82-1022-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of \$2,388.22.

1. Report of Messrs. Faucher and Haider, November 24, recommending the following on Contract No. P97-1909-M1A, with P. J. Kennedy and Sons, Inc., for Maintenance, Service and Repairs to HVAC Systems at Various Flood Control Navigation Sites -

(a) That work be accepted as completed as of July 31, 1998.

(b) That Estimate No. 8 (Final), in the amount of \$10,005.59, be approved for payment.

(c) That reserve, in the amount of \$526.61, be approved for payment.

(Basis of Award - \$51,525.00)

(Amount to Date - \$51,399.35).

(Contract Performance Rating - 82 with 100 being excellent).

(EEO Compliance - 1.00)

The Commission V O T E D: that the work of P. J. Kennedy and Sons, Inc., Contractor under Contract No. P97-1909-M1A, be and hereby is accepted as completed as of July 31, 1998.

The Commission further V O T E D: to approve Estimate No. 8 (Final), in the amount of \$10,005.59, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$526.61, for payment.

2. Report of Messrs. Faucher, Brooks and Abounaja, November 16, recommending approval of a revision in quantities on Item No. 003-002 - Crew Shift - at a cost of \$100,000.00, on Contract No. P95-1792-C1B, with Environmental Restoration, Inc., for Lead Paint Removal at Various MDC Facilities.
Account No. 2440-8885.

The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and Abounaja, November 16, recommending approval of Extra Work Order No. 6 - to demolish and remove existing basement vault and furnish and install two - 330 gallon above ground fuel tanks for the former MDC field office in Auburndale - at a cost of \$13,700.00 - on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities.

(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 002-004 - furnish and install 4,000 gallon underground heating oil fuel tank and Item No. 002-005 - furnish and install 5,000 gallon underground heating oil fuel tank).

The Commission V O T E D: to approve Extra Work Order No. 6, in the amount of \$13,700.00.

4. Report of Messrs. Faucher, Brooks and Abounaja, November 23, recommending approval and execution of Amendment No. 4 to Contract No. P95-1768-D2A, with Camp, Dresser & McKee, Inc. for Licensed Site Professional (L.S.P.) Services for Various MDC

Facilities, which calls for additional assessment and remediation activities required by the Massachusetts Department of Environmental Protection under Consent Order No. ACO-NE-3001, for the Indian Line Farm House in Canton, at a total cost of \$70,897.00.

(Funding from Account No. 2490-8910).

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment No. 4, dated December 3, 1998, to Contract No. P95-1768-D2A, with Camp, Dresser & McKee, Inc., which was signed by the Commissioner and three Associate Commissioners.

Associate Commissioner Elkort did not vote on this matter nor sign the Amendment.

1. Report of Messrs. Faucher and Terzian, November 24, recommending approval of Extra Work Orders and Alterations, on Contract No. P82-1112-C2A, with Early and Sons, for Peddock's Island Pier Replacement, as follows -

Extra Work Orders

| | |
|--|-------------------|
| Extra Work Order No. 1 | \$1,582.86 |
| for furnishing and installing extra drift pens | |
| Extra Work Order No. 2 | \$1,856.48 |
| for modification of water line brackets | |
| Extra Work Order No. 3 | <u>\$1,803.82</u> |
| for modification of spudwell supports | |
| Total Cost - | \$5,243.16 |

Alterations

| | |
|--|-----------------------------|
| Alteration No. 4 | CREDIT OF \$ 720.00 |
| Item No. 02110 - remove piles by vibratory methods | |
| Alteration No. 2 | CREDIT OF \$ 807.30 |
| Item No. 02490 - eliminate spike grids at pile connections | |
| Alteration No. 3 | CREDIT OF <u>\$3,282.90</u> |
| Item No. 16050 - substitute 1 - 1½" PVC electrical conduit in lieu of galvanized PVC conduit | |

TOTAL CREDIT OF - \$4,810.20

(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 01570).

The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$1,582.86.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$1,856.48.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$1,803.82.

The Commission further V O T E D: to approve Alteration No. 4, at a credit to the Commission, in the amount of \$720.00.

The Commission further V O T E D: to approve Alteration No. 2, at a credit to the Commission, in the amount of \$807.30.

The Commission further V O T E D: to approve Alteration No. 3, at a credit to the Commission, in the amount of \$3,282.90.

2. Report of Messrs. Faucher, Brooks and Mayhew, November 24, recommending approval of revisions in quantities, on Contract No.

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PL92-017-C2A, with D & C Construction Co., Inc., for Upper Charles River Reservation Restoration - Phase 1B, as follows -

| | |
|--------------------------------------|--------------|
| Item No. 02100-1 | \$ 3,892.10 |
| Bituminous Concrete Removal | |
| Item No. 02200-2 | \$ 5,198.20 |
| Crushed Stone Dense Grade | |
| Item No. 02200-5 | \$ 6,360.00 |
| Ordinary Borrow from On-Site Sources | |
| Item No. 02200-6 | \$ 2,466.00 |
| Rounded River Stone | |
| Item No. 02200-7 | \$ 5,000.00 |
| Unclassified Excavation | |
| Item No. 02500-1 | \$ 12,460.00 |
| Bit. Con Pavement | |
| Item No. 02500-5 | \$ 346.50 |
| Granite Curb Transition | |
| Item No. 02500-6 | \$ 3,074.00 |
| Granite Curb Flush | |
| Item No. 02500-9 | \$ 3,306.25 |
| Granite Pavers | |
| Item No. 02500-13 | \$ 8,000.00 |
| Stone Dust | |
| Item No. 02800-3 | \$ 6,000.00 |
| Plaques for Granite Piers | |
| Item No. 02800-8 | \$ 2,250.00 |
| Chain Link Fence | |
| Item No. 02800-13 | \$ 1,425.00 |
| Wood Fence | |
| Item No. 02800-16 | \$ 5,120.00 |
| Board-Walk | |
| Item No. 02800-17 | \$ 5,800.00 |
| Board-Walk Edge 'A' | |
| Item No. 02800-22 | \$ 690.00 |
| Wood Guard-Rail | |
| Item No. 02800-23 | \$ 1,386.00 |
| Paint | |
| Item No. 02800-25 | \$ 3,200.00 |
| Helical Pier Footings | |
| Item No. 02800-26 | \$ 8,625.00 |
| Helical Pier Footings Extensions | |
| Item No. 02930-1 | \$ 21,948.60 |
| Lawn Seeding | |
| Item No. 02930-3 | \$ 990.00 |
| Wetland Seeding | |
| Item No. 02930-4 | \$ 23,500.00 |
| Topsoil Spread | |
| Item No. 02930-5 | \$ 5,000.00 |
| Loam Spread | |
| Item No. 02950-1 | \$ 3,850.00 |
| Deciduous Shade Trees (A) | |
| Item No. 02950-2 | \$ 1,430.00 |
| Deciduous Shade Trees (B) | |
| Item No. 02950-5 | \$ 1,650.00 |
| Flowering Trees (C) | |
| Item No. 02950-7 | \$ 1,040.00 |
| Evergreen Trees (C) | |

| | |
|----------------------|--------------|
| Item No. 02950-8 | \$ 9,450.00 |
| Tall Shrubs (A) | |
| Item No. 02950-9 | \$ 15,411.00 |
| Tall Shrubs (B) | |
| Item No. 02950-10 | \$ 10,025.00 |
| Medium Shrubs (A) | |
| Item No. 02950-11 | \$ 22,126.00 |
| Medium Shrubs (B) | |
| Item No. 02950-12 | \$ 23,740.00 |
| Low Shrubs (A) | |
| Item No. 02950-15 | \$ 8,745.00 |
| Evergreen Shrubs (B) | |

Total - \$233,504.65

The cost for the revisions will be reduced by unused quantities in the following items -

| | |
|---|--------------|
| Item No. 02200-1 | \$ 1,530.00 |
| Gravel Borrow | |
| Item No. 02200-3 | \$ 5,065.50 |
| Crushed Stone | |
| Item No. 02200-4 | \$ 800.00 |
| Ordinary Borrow | |
| Item No. 02200-9 | \$ 341.40 |
| Filter Fabric Base | |
| Item No. 02200-11 | \$ 34,920.00 |
| Cement Modified Soils | |
| Item No. 02500-3 | \$ 1,247.50 |
| Granite Curb VA-4 Straight | |
| Item No. 02500-7 | \$ 45.00 |
| Granite Reset Curb | |
| Item No. 02500-11 | \$ 128.24 |
| Concrete Pavement | |
| Item No. 02500-12 | \$ 14,209.80 |
| Concrete Unit Pavers | |
| Item No. 02800-1 | \$ 2,100.00 |
| Granite Steps and Granite Step End Wall | |
| Item No. 02800-5 | \$ 1,800.00 |
| Granite Wall Cap | |
| Item No. 02800-9 | \$ 2,100.00 |
| Log Bench | |
| Item No. 02800-10 | \$ 400.00 |
| Trash Receptacle | |
| Item No. 02800-12 | \$ 2,775.00 |
| Wood Guardrail | |
| Item No. 02800-15 | \$ 7,920.00 |
| Low Wood Rail | |
| Item No. 02800-18 | \$ 554.80 |
| Wood Boardwalk Edge 'B' | |
| Item No. 02800-21 | \$ 25,350.00 |
| Log Retaining Wall | |
| Item No. 02950-3 | \$ 1,050.00 |
| Deciduous Shade Trees (C) | |
| Item No. 02950-4 | \$ 12,000.00 |
| Flowering Trees (B) | |
| Item No. 02950-6 | \$ 5,400.00 |
| Evergreen Trees (B) | |

| | |
|----------------------|--------------|
| Item No. 02950-12 | \$ 380.00 |
| Low Shrubs (A) | |
| Item No. 02950-13 | \$ 23,202.00 |
| Low Shrubs (B) | |
| Item No. 02950-14 | \$ 7,656.00 |
| Evergreen Shrubs (A) | |
| Item No. 02950-16 | \$ 7,785.00 |
| Ground Covers | |
| Item No. 02950-17 | \$ 25,400.00 |
| Perennials & Vines | |

Total - \$184,160.24

The difference in cost between the revisions of \$233,504.65 and the unused quantities \$184,160.24, will require funding in the amount of \$49,344.41 from Account No. 2490-0017.

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Brooks and Mayhew, November 24, recommending approval of the action of Deputy Commissioner Faucher, resulting in Alteration No. 1 - for preparation of the cement modified soils - Item No. 13 - to be installed along the shoulders of the new paved walkway - at a cost of \$7,338.75, on Contract No. PL92-017-C1A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase I. Account No. 2490-0017.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Alteration No. 1, on Contract No. PL92-017-C1A.
The Commission further V O T E D: to approve Alteration No. 1, in the amount of \$7,338.75.
2. Report of Messrs. Faucher and Machado, October 23, recommending the following on Contract No. P96-1862-C1A, with South Shore Fence, Inc., for Installation of Closure Gates, Guardrail and Fences at Various Locations -
 - (a) That work be accepted as completed as of September 14, 1998.
 - (b) That Estimate No. 21 (Final), in the amount of \$1,018.59, be approved for payment.
 - (c) That reserve, in the amount of \$26,883.54, be approved for payment.
 - (Basis of Award - \$874,953.16)
 - (Amount to Date - \$937,670.46)
 - (Contract Performance Rating - 3.00)
 - (EEO Compliance - 4.00)

The Commission V O T E D: that the work of South Shore Fence, Inc., Contractor under Contract No. P96-1862-C1A, be and hereby is accepted as completed as of September 14, 1998.
The Commission further V O T E D: to approve Estimate No. 21 (Final), in the amount of \$1,018.59, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$26,883.54, for payment.
3. Report of Ms. Overton and Messrs. Faucher and DiRamio, November 23, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 1 - for work necessary to furnish and install conduit and handholes and installing the

bases that have been supplied by Boston Edison for lighting at Constitution Beach - at a cost of \$107,296.00, on Contract No. P95-1783-C1A, with B & E Construction Corporation, for Rehabilitation of Constitution Beach, East Boston. Account No. 2440-8956.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 1, on Contract No. P95-1783-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$107,296.00.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Baratta, October 20, requesting approval of an extension of time from January 2, 1999 to July 1, 1999, on Contract No. WM95-061-C1A, with Roads Corporation, for Fast Track Sewer Construction - Pinecroft Area - Holden/West Boylston.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from January 2, 1999 to July 1, 1999, on Contract No. WM95-061-C1A, as requested by Messrs. McGinn and Baratta in their report of October 20, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
2. Report of Messrs. McGinn and Pula, May 26, on bids for Rubbish Removal - FY99 and 00, for Quabbin Administration Building, New Salem Office and Oakham Office.
(Messrs. McGinn and Pula recommend acceptance of the lowest bids received, that of Fred J. Fijal, as follows -
Administration Building, Quabbin - 1 - 10 YD.
Container once a week pickup - \$170.00 per month.
Oakham Office - 1 - 8 YD.
Container picked up ever other week - \$92.00 per month.
New Salem Office - 1 - 3 YD.
Container picked up ever other week - \$52.00 per month.
Total Cost per year - \$3,768.00 x two years - \$7,536.00).
Account No. 2420-1400-JJ.
The Commission V O T E D: to accept the lowest bids received, that of Fred J. Fijal, for Rubbish Removal - FY99 and 00, for Quabbin Administration Building, New Salem Office and Oakham Office, as recommended by Messrs. McGinn and Pula in their report of May 26, 1998.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, November 30. on behalf of a Consultant Selection Committee, requesting approval of the selection of GEI Consultants, Inc., for Contract No. WM96-011-SIA, for Follow-Up Investigation - Winsor Dam, Ware/Belchertown.
Estimated cost - not to exceed \$172,988.00.
Time for Performance - six months from Notice to Proceed.
Mr. Jewett further requests authorization for Commissioner Balfour

to execute the Contract on behalf of the Commission.
Account No. 2420-7882.

The Commission V O T E D: to approve the selection of GEI Consultants, Inc., for Contract No. WM96-011-SIA, for Follow-Up Investigation - Winsor Dam, Ware/Belchertown.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

1. Report of Mr. Jewett, November 30, on proposals for Removal and Disposal of Drums Containing Waste and Residual Oils from Various MDC Facilities, Contract No. P98-1936-XIA.

(Mr. Jewett recommends acceptance of the proposal of Enpro Services, Inc., with a cost not-to-exceed \$20,000.00).

Time for Performance - two months

Account No. 2440-9800.

Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

The Commission V O T E D: to accept the proposal of Enpro Services, Inc., with a cost not-to-exceed \$20,000.00, for Removal and Disposal of Drums Containing Waste and Residual Oils from Various MDC Facilities, Contract No. P98-1936-XIA.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Mr. Gray, November 30, recommending that the Commission declare surplus and transfer in accordance with the provisions Chapter 184 of the Acts of 1997, that certain parcel of land located in the Town of Natick and containing approximately 11.2 acres, to Joseph Campanelli, et als, as Trustees of Campanelli Framingham Trust, subject to the requirements of said Act and the terms and provisions of the EOEA Article 97 Land Disposition Policy.

The Commission V O T E D: to declare surplus and transfer in accordance with the provisions Chapter 184 of the Acts of 1997, that certain parcel of land located in the Town of Natick and containing approximately 11.2 acres, to Joseph Campanelli, et als, as Trustees of Campanelli Framingham Trust, subject to the requirements of said Act and the terms and provisions of the EOEA Article 97 Land Disposition Policy.

2. Report of Mr. Gray, November 30, recommending that the Commission adopt an Order of Taking for acquisition of approximately 539 square feet or 0.0124 acres of land owned by Michael J. Ivanisin and Evelyn H. Ivanisin, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of \$20,000.00.

Account No. 2420-7961.

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The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 539 square feet or 0.0124 acres of land owned by Michael J. Ivanisin and Evelyn H. Ivanisin, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 3, 1998.

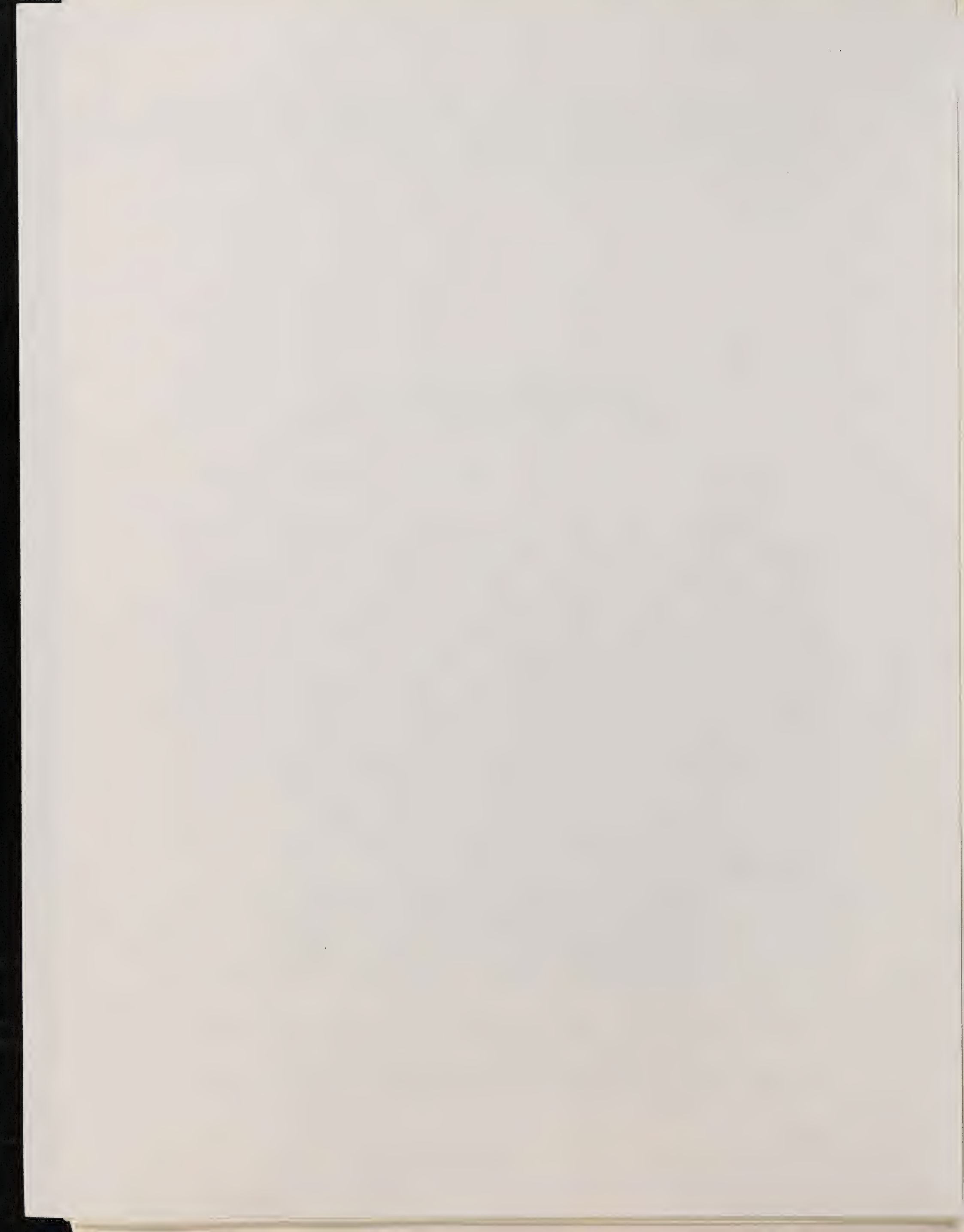
ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Sections 2 and 63 of Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, and for sewer and sewage pumping purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, on behalf of said Town of Holden, namely:

A certain parcel of land situated in said Town of Holden, more particularly bounded and described as follows:

BEGINNING at a point on the southeasterly line of Mark Bradford Drive, at the most northerly corner of land of Ivanisin shown as Lot 31 on a plan of land recorded with Worcester District Registry of Deeds in Plan Book 314, Plan 96, and at the most northwesterly corner of land now or formerly of Seed shown as Lot 28 on said plan;

THENCE S 20° 26' 34" E along said Lot 28, a distance of 18.81 feet to a point;

THENCE S 63° 24' 36" W, a distance of 25.96 feet to a point;



THENCE N 32° 44' 15" W, a distance of 18.81 feet to a point at Mark Bradford Drive;

THENCE Northeasterly along said Mark Bradford Drive and the arc of a curve to the right having a radius of 140.00 feet, a distance of 30.04 feet to the point of beginning.

Containing approximately 539 square feet or 0.0124 acre, and being shown as Parcel 1 and as the "MDC Pump Station Site" on a plan of land entitled "Plan of Fee Taking for Metropolitan District Commission in Holden, Mass.," prepared for Weston and Sampson Engineers, Inc., by Vaidya Consultants, Inc., John D. Church, P.L.S., and dated October 30, 1998, which plan is on file with said Commission and is incorporated herein and made a part of this order, and shall be recorded either simultaneously with this order of taking or at a later date.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being a portion of the premises described in a deed from Leonard L. Leroux, et ux, to Michael J. Ivanisin, et ux, dated July 19, 1976 and recorded with Worcester District Registry of Deeds in Book 5983, Page 380. Also meaning and intending to take hereby any and all temporary rights-of-way in and to the roads and ways under the control of the Towns of West Boylston and Holden, Massachusetts, at no compensation, required to complete the construction of MDC Waste Water Project No. WM93-001-S1A for sewer and sewage pumping purposes.

The above described property is represented upon Holden Assessors Tax Map 178 as a portion of Parcel 58.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS

AWARD

Michael J. Ivanisin and
Evelyn H. Ivanisin

\$ 20,000.00

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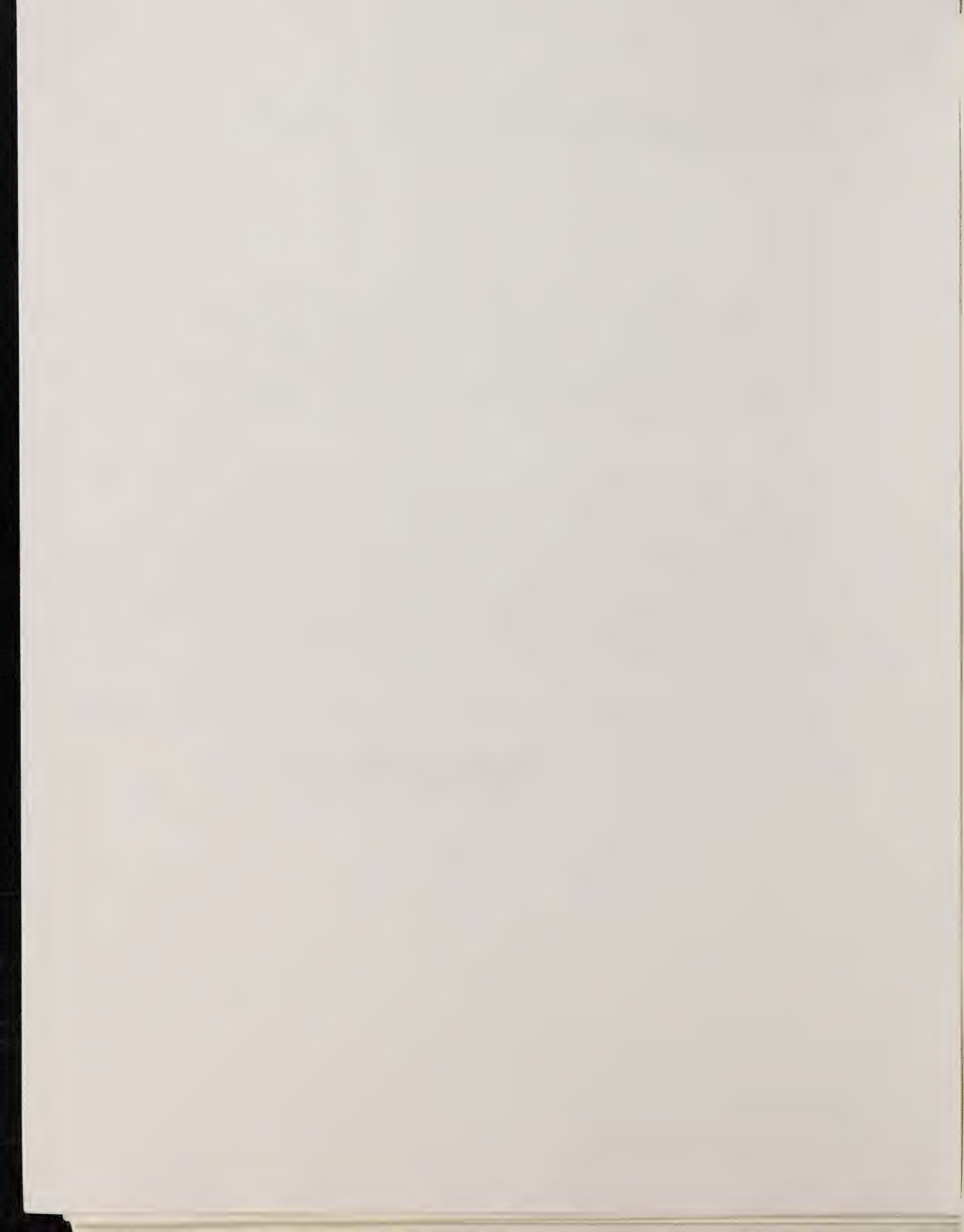
The Commission further V O T E D: to approve an award of damages in the amount of \$20,000.00.

The Commission hereby expressly authorizes its Watershed Management Division to enter into any and all necessary memoranda of agreement and other agreements, permits and licenses on behalf of said Commission with other state or public agencies which may have control over highways, roads or ways, to ensure the proper access for, and the unimpeded construction of, said Project.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby transfer any and all rights and interests in real property acquired for said project and in and to the sewer and sewer pumping system constructed under said Project, upon the completion of said construction, to the appropriate parties as designated and otherwise authorized by said acts and provisions, as determined by its Division of Watershed Management, for all purposes consistent with said acts and provisions.

Adjourned at 9:55 a.m., to meet on Thursday, December 10, 1998, at 9:00 a.m.


S e c r e t a r y



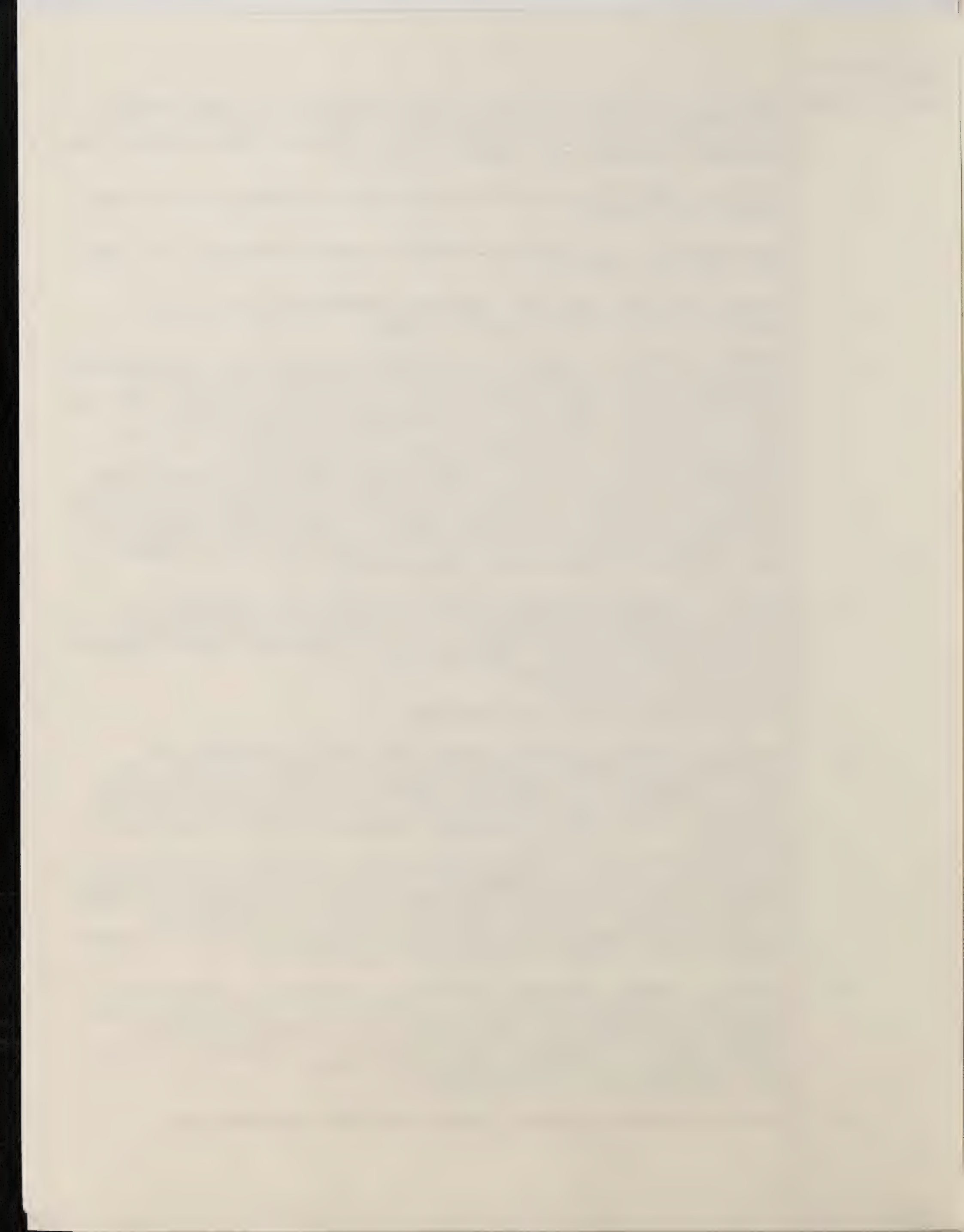
Record of the Three Thousand Eight Hundred and Seventy Fourth (3874st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 10, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on November 19, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, November 18, recommending approval of the request of B & E Construction Corp., for an extension of time from November 14, 1998 to November 30, 1998, on Contract No. P93-1672-E3A, for Emergency Repairs - Wood's Memorial Bridge, Everett/Medford, due to the need to perform additional work not scheduled under the Contract.
The Commission V O T E D: to approve an extension of time from November 14, 1998 to November 30, 1998, as recommended by Messrs. Faucher and Lenhardt in their report of November 18, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
2. Report of Messrs. Faucher, Brooks and Martinez, November 30, requesting approval of Project No. P99-1972-X3A, for Primary Electrical Services Connection for the Temporary Outdoor Peter J. Kelly Ice Skating Rink, Jamaica Plain.
Estimated Cost - \$17,560.37.
Account No. 2440-9812.
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher, Brooks and Haider, November 20, recommending approval of the request of ABC Contractors, Inc., for an extension of time from November 22, 1998 to December 22, 1998, on Contract No. P98-1923-C3A, for Relocation of Back Flow Preventer, Hull, due to inclement weather during the month of October.
The Commission V O T E D: to approve an extension of time from November 22, 1998 to December 22, 1998, as recommended by Messrs. Faucher, Brooks and Haider, in their report of November 20, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
4. Report of Messrs. Faucher and Terzian, December 4, requesting approval of Amendment No. 2, to Contract No. P80-0844-D3C, with the Maguire Group, Inc., for Beaver Brook Flood Mitigation Project Reach 1, Waltham, which calls for an extension of time from November 30, 1998 to November 30, 2000.
The Commission V O T E D: Approved.
5. Report of Messrs. Faucher, Brooks and Park, November 25,



recommending the following on Contract No. P98-1952-C2A, with D & R General Contracting, Inc., for Furnishing and Installing Three (3) Steel In-Line Dasher Board Systems for Outdoor Rollerblading -

1. - An extension of time from November 7, 1998 to March 31, 1999.
2. - Approval of the action of Deputy Commissioner for Technical Services Faucher, in directing the contractor to proceed with Alteration No. 1 - for installation of a chain link fence around dasher board systems, in the amount of \$34,904.43, and delete Item No. 007-010 - Poles and Netting, at a Credit to the Commission in the amount of \$10,000.00.

The Alteration will result in an increase in cost of \$24,904.43, Funding is available in Account No. 2440-8952.

The Commission V O T E D: to approve an extension of time from November 7, 1998 to March 31, 1999, as recommended by Messrs. Faucher, Brooks and Park, in their report of November 25, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

The Commission further V O T E D: to approve the action of Deputy Commissioner for Technical Services Faucher, in directing the contractor to proceed with Alteration No. 1 - for installation of a chain link fence around dasher board systems, in the amount of \$34,904.43, and delete Item No. 007-010 - Poles and Netting, at a Credit to the Commission in the amount of \$10,000.00.

The Commission further V O T E D: to approve Alteration No. 1, in the amount of \$34,904.43 and deletion of Item No. 007-010, at a credit to the Commission in the amount of \$10,000.00.

1. Report of Messrs. Faucher and Machado, December 4, recommending approval of revisions in quantities on Contract No. P97-1919-C1A, with Delucca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations, as follows -

| | |
|---|--------------------|
| Item No. 055-010 | \$27,550.00 |
| 4 ft. to 4 ft. 6 in. High B.V.C. - CLF | |
| Item No. 061-010 | \$55,200.00 |
| 8 ft. High B.V.C. - CLF | |
| Item No. 074-010 | <u>\$ 8,082.00</u> |
| Remove and Dispose or Store C.L.F. 8 ft. High | |
| Total - | \$90,832.00 |

The cost of the revisions will be reduced by unused quantities in the following items -

- | | |
|--|-------------|
| Item No. 045-010 - Furnish and Install Treated 4"x 10" Wood Guard Rail on 8" x 8" Treated Posts. | |
| Item No. 060-010 - Furnish, Install, Repair or Replace Galvanized Steel Chain Link Fence 8 Ft. High. | |
| Total - | \$16,782.00 |

The difference in cost between the revisions of \$90,832.00 and the unused quantities of \$16,782.00, will require funding in the amount of \$74,050.00, from Account No. 2440-8952.

The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Griffin, December 2, recommending approval of the request of R.H.D. Construction Company, Inc., Contractor on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, to engage the services of Don Martin

Corporation, as sub-contractor for Item No. 008-020 - to furnish and install bituminous concrete, at a sum of \$12,000.00.

(At no increase in Contract cost).

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Griffin in their report of December 2, 1998.

1. Report of Mr. Faucher and Mrs. Graves-Jones, December 3, recommending approval of a revision in quantities on Item No. 010-010 - Traffic Control Services - at a cost of \$2,700.00, on Contract No. P98-1924-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 003-010 - 4 - Inch Reflectorized Line (Thermoplastic).
The Commission V O T E D: Approved.

2. Report of Mr. Faucher and Mrs. Graves-Jones, December 4, recommending approval of revisions in quantities on Contract No. P98-1958-C1A, with Coviello Electric and General Contracting Co., Inc., for Reconstruction of Traffic Signal System - VFW Parkway at Corey Street, West Roxbury -

| | |
|------------------|-----------|
| Item No. 129-000 | \$ 304.50 |
|------------------|-----------|

| | |
|---|--|
| Bituminous Concrete Excavation by Cold Planer | |
|---|--|

| | |
|------------------|-----------|
| Item No. 482-500 | \$ 924.00 |
|------------------|-----------|

| | |
|----------------------------|--|
| Sawing Pavement & Sidewalk | |
|----------------------------|--|

| | |
|------------------|------------|
| Item No. 806-300 | \$6,650.00 |
|------------------|------------|

| | |
|--------------------------------------|--|
| Three Inch Electrical Conduit - Type | |
|--------------------------------------|--|

| | |
|---------------------|--|
| Rm-Galvanized Steel | |
|---------------------|--|

| | |
|------------------|-----------|
| Item No. 859-200 | \$ 675.00 |
|------------------|-----------|

| | |
|--|--|
| Reflectorized Drum with Flasher Type C | |
|--|--|

| | |
|------------------|----------|
| Item No. 866-040 | \$ 95.50 |
|------------------|----------|

| | |
|-------------------------------------|--|
| Four Inch White Thermoplastic Lines | |
|-------------------------------------|--|

| | |
|---------|------------|
| Total - | \$8,649.00 |
|---------|------------|

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 740-000 - Field Office & Equipment Type A, 853-100 - Portable Breakaway Barricade Type 111, 999-100 - Project Identification Sign and 999-200 - Information Materials).

Mr. Faucher and Mrs. Graves-Jones further request an extension of time from December 31, 1998 to January 31, 1999 - at no increase in Contract cost.

The Commission V O T E D: to approve the revisions in quantities, in the amount of \$8,649.00.

The Commission further V O T E D: to approve an extension of time from December 31, 1998 to January 31, 1999, as recommended by Mr. Faucher and Mrs. Graves-Jones, in their report of December 4, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, December 2, recommending approval of the action of Deputy Commissioner for Technical Services Faucher, resulting in Extra Work Order No. 8 - for relocating an existing electrical junction box - at a cost of

\$1,346.22, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park. (At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 002-215 - Removal of Wooden Dock).

The Commission V O T E D: to approve the action of Deputy Commissioner for Technical Services Faucher, which resulted in Extra Work Order No. 8, on Contract No. PL82-1022-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of \$1,346.22.

1. Report of Messrs. Faucher, Brooks, Kane and Haider, December 7, requesting approval of the action of Deputy Commissioner of Technical Services Faucher resulting in Extra Work Orders on Contract No. P97-1914-C3A, with ABC Contractors, Inc., for Rehabilitation of Waiting Room, Hull, as follows -

| | |
|------------------------|-------------|
| Extra Work Order No. 1 | \$11,860.90 |
|------------------------|-------------|

Repair Exterior Stucco

| | |
|------------------------|-------------|
| Extra Work Order No. 2 | \$18,311.34 |
|------------------------|-------------|

Repair/Replace Window Lintels and
Associated Bricks

| | |
|------------------------|--------------------|
| Extra Work Order No. 3 | <u>\$15,662.86</u> |
|------------------------|--------------------|

Install New Roof Shingles

Total Cost - \$45,835.10

Account No. 2490-0017.

The Commission V O T E D: to approve the action of Deputy Commissioner of Technical Services Faucher which resulted in Extra Work Order Nos. 1, 2 and 3, on Contract No. P97-1914-C3A.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$11,860.90.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$18,311.34.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$15,662.86.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Baratta, August 20, recommending that the Commission amend its vote of June 18, 1998, by increasing funding from \$5,500,000.00 to \$6,748,046.00, on Contract No. WM97-061-C1A, (Project No. 97-5W), for Phase III Sewer Contract - West Boylston - Prospect Street/Shrine/Meadowbrook - West.

(Messrs. McGinn and Baratta further recommend that acceptance of the lowest bid received for Contract No. WM97-061-C1A, (Project No. 97-5W), for Phase III Sewer Contract - West Boylston - Prospect Street/Shrine/Meadowbrook - West, that of FED Corporation of \$6,748,046.00).

They further request execution of the Contract by the Commission.

The Commission V O T E D: amend its vote of June 18, 1998, by increasing funding from \$5,500,000.00 to \$6,748,046.00, on Contract No. WM97-061-C1A, (Project No. 97-5W), for Phase III Sewer Contract - West Boylston - Prospect Street/Shrine/Meadowbrook - West.

The first part of the paper discusses the importance of the study and the objectives of the research. It then proceeds to a literature review, followed by a description of the methodology used in the study. The results of the study are presented in the next section, followed by a discussion of the findings and their implications. The paper concludes with a summary of the main points and a list of references.

The study was conducted in a laboratory setting, using a series of experiments to measure the effect of different factors on the rate of reaction. The results show that the rate of reaction increases with increasing temperature and decreasing concentration of the reactants. The data is presented in the following table:

| Temperature (°C) | Concentration (M) | Rate of Reaction (mol/L/s) |
|------------------|-------------------|----------------------------|
| 20 | 0.1 | 0.001 |
| 30 | 0.1 | 0.002 |
| 40 | 0.1 | 0.004 |
| 50 | 0.1 | 0.008 |
| 60 | 0.1 | 0.016 |
| 70 | 0.1 | 0.032 |
| 80 | 0.1 | 0.064 |
| 90 | 0.1 | 0.128 |
| 100 | 0.1 | 0.256 |
| 20 | 0.2 | 0.002 |
| 30 | 0.2 | 0.004 |
| 40 | 0.2 | 0.008 |
| 50 | 0.2 | 0.016 |
| 60 | 0.2 | 0.032 |
| 70 | 0.2 | 0.064 |
| 80 | 0.2 | 0.128 |
| 90 | 0.2 | 0.256 |
| 100 | 0.2 | 0.512 |

The results of the study indicate that the rate of reaction is directly proportional to the temperature and inversely proportional to the concentration of the reactants. This is consistent with the Arrhenius equation, which states that the rate of reaction increases exponentially with increasing temperature. The data also shows that the rate of reaction increases linearly with increasing concentration of the reactants, which is consistent with the law of mass action.

The Commission further V O T E D: to accept the lowest bid received for Contract No. WM97-061-C1A, (**Project No. 97-5W**), for Phase III Sewer Contract - West Boylston - Prospect Street/Shrine/Meadowbrook - **West**, that of FED Corporation of \$6,748,046.00).

The Secretary then submitted for signature Contract No. WM97-061-C1A, (**Project No. 97-5W**), dated December 10, 1998, with FED Corporation, which was signed by the Commissioner and three Associate Commissioners.

1. Report of Messrs. McGinn and Baratta, August 20, on bids for Phase III, Sewer Construction Holden, Fort Sumter/Center/Davis Hill - **East**, Contract No. WM97-061-C1A, (**Project No. 97-3H**). (Messrs. McGinn and Baratta recommend acceptance of the lowest bid received, that of C.J.P. & Sons Construction Company, of \$4,891,116.80). They further request execution of the Contract by the Commission. The Commission V O T E D: to accept the lowest bid received, that of C.J.P. & Sons Construction Company, of \$4,891,116.80. The Secretary then submitted for signature Contract No. WM97-061-C1A, (**Project No. 97-3H**), dated December 10, 1998, with C.J.P. & Sons Construction Company, which was signed by the Commissioner and three Associate Commissioners.
2. Report of Messrs. McGinn and Baratta, September 17, on bids for Phase III, Sewer Construction - Holden, Fort Sumter/Center/Davis Hill - **West**, Contract No. WM97-061-C1A, (**Project No. 97-1H**). (Messrs. McGinn and Baratta recommend acceptance of the lowest bid received, that of Albanese Brothers, Inc., of \$5,944,474.60). They further request execution of the Contract by the Commission. The Commission V O T E D: to accept the lowest bid received, that of Albanese Brothers, Inc., of \$5,944,474.60. The Secretary then submitted for signature Contract No. WM97-061-C1A, (**Project No. 97-1H**), dated December 10, 1998, with Albanese Brothers, Inc., which was signed by the Commissioner and three Associate Commissioners.
3. Report of Messrs. McGinn and Baratta, September 20, on bids for Phase III, Sewer Construction - West Boylston - Bunker Hill/Meadowbrook - **East**, Contract No. WM97-061-C1A (**Project No. 97-4W**). (Messrs. McGinn and Baratta recommend acceptance of the lowest bid received, that of Joseph A. Polito & Sons Co., Inc., of \$6,592,544.50). They further request execution of the Contract by the Commission. The Commission V O T E D: to accept the lowest bid received, that of Joseph A. Polito & Sons Co., Inc., of \$6,592,544.50. The Secretary then submitted for signature Contract No. WM97-061-C1A (**Project No. 97-4W**), dated December 10, 1998, with Joseph A. Polito & Sons Co., which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following Various Matters:

4. Report of Ms. Anderson, December 7, requesting that the

Commission approve the establishment of a 30 mile per hour speed limit on Park Drive, Boston, between Brookline Avenue and Beacon Street.

The Commission V O T E D: to approve the establishment of a 30 mile per hour speed limit on Park Drive, Boston, between Brookline Avenue and Beacon Street, as requested by Ms. Anderson in her report of December 7, 1998.

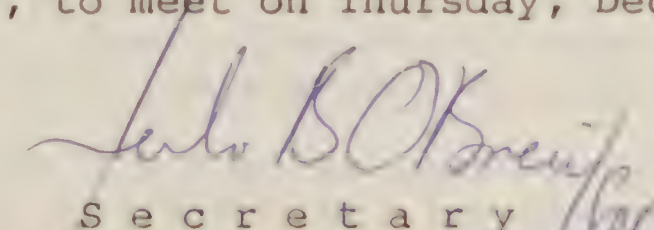
1. Report of Mr. Jewett, December 7, requesting that the Commission amend its vote of December 18, 1997, approving the selection of Parsons Brinckerhoff Quade & Douglas, Inc., for Contract No. P97-1877-D1A, Winthrop Shores Reservation Restoration - Boston Harbor Beaches Program, by increasing compensation from \$700,000.00 to \$729,153.00, due to final negotiations. Mr. Jewett further requests execution of the Contract by the Commission.

Account No. 2440-8956.

The Commission V O T E D: to amend its vote of December 18, 1997, approving the selection of Parsons Brinckerhoff Quade & Douglas, Inc., for Contract No. P97-1877-D1A, Winthrop Shores Reservation Restoration - Boston Harbor Beaches Program, by increasing compensation from \$700,000.00 to \$729,153.00.

The Secretary then submitted for signature Contract No. P97-1877-D1A, dated December 10, 1998, with Parsons Brinckerhoff Quade & Douglas, Inc., which was signed by the Commissioner and three Associate Commissioners.

Adjourned at 9:50 a.m., to meet on Thursday, December 17, 1998, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Seventy Fifth (3875th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 17, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on December 3, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Mr. Faucher and Ms. Pomorska, November 23, recommending the following on Contract No. P98-1929-C1A, with Coviello Electric & General Contracting Co., Inc., for Installation of Traffic Signal Systems, Day Boulevard at O & P Streets, South Boston -
 - (a) That work be accepted as completed as of October 31, 1998.
 - (b) That Estimate No. 2 (Final), in the amount of \$79,876.56, be approved for payment.
 - (c) That reserve, in the amount of \$8,672.13, be approved for payment.
 - (Basis of Award - \$141,796.00)
 - (Amount to Date - \$173,442.59)
 - (Contract Performance Rating - 3.67)
 - (EEO Compliance - 4.67)

The Commission V O T E D: that the work of Coviello Electric & General Contracting Co., Inc., Contractor under Contract No. P98-1929-C1A, be and hereby is accepted as completed as of October 31, 1998.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$79,876.56, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$8,672.13, for payment.
2. Report of Messrs. Faucher, Brooks and Mayhew, December 8, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 1 - to install permanent power underground to the existing trailers on the site - at a cost of \$3,547.10, on Contract No. P98-1928-C2A, with MRP Site Development, Inc., for Building Demolition and Site Development, Ocean Avenue, Revere.
Account No. 2490-8881.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 1, on Contract No. P98-1928-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$3,547.10.
3. Report of Messrs. Faucher, Brooks and Mayhew, November 25, recommending approval of the request of MRP Site Development, for an extension of time from November 18, 1998 to December 31, 1998, on Contract No. P98-1928-C2A, for Building Demolition and Site Improvements, Ocean Avenue, Revere, due to delays in obtaining

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY

REPORT OF THE
COMMISSIONER OF THE
BUREAU OF CHEMISTRY

FOR THE YEAR
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demolition permit.

The Commission V O T E D: to approve an extension of time from November 18, 1998 to December 31, 1998, as recommended by Messrs. Faucher, Brooks and Mayhew, in their report of November 25, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Brooks and Martinez, December 14, recommending approval of the request of T. Ford Company, Inc., for an extension of time from December 21, 1998 to January 22, 1999, on Contract No. P99-1972-C1A, for Utilities Connection for the Temporary Outdoor Peter J. Kelly Skating Rink, Jamaica Plain, due to delivery time and installation of change room and sanitary facilities.

(At no increase in contract cost).

The Commission V O T E D: to approve an extension of time from December 21, 1998 to January 22, 1999, as recommended by Messrs. Faucher, Brooks and Martinez, in their report of December 14, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Jackson, December 10, requesting approval of the request of Rojas Associates, Inc., for an extension of time from December 30, 1998 to January 5, 2000, and an increase in direct labor costs, on Contract No. P95-1761-D1A, for Playground Design Services - Four Sites, due to the fact that construction timetables have been extended because of funding and bidding complications at Artesani Playground and Comfort Station. (At no increase in contract cost at this time).

The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Pula, December 7, on proposals for the purchase of forest products located on the Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Ducat Lumber, of \$4,251.00; to purchase approximately 16,205 board feet of timber, 316 cords of firewood and 9 cords of pulp on Timber Lot No. 150A - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received that of Everett LaBree, of \$1,710.00; to purchase approximately 8,093 board feet of timber and 135 cords of firewood on Timber Lot No. 155 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid that of Ducat Lumber, of \$5,301.00; to purchase approximately 32,819 board feet of timber, 141 cords of firewood, and 86 cords of pulp on Timber Lot No. 156 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of \$5,740.20; to purchase approximately 72,117 board feet of timber, 17 cords of firewood and 895 tons of whole tree wood on Timber Lot No. 20 - Sudbury

Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Ellsworth Sawmill, of \$12,480.00; to purchase approximately 48,000 board feet of timber and 40 cords of firewood on Timber Lot No. 275 - Ware River Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of T. Jepson & Son, of \$2,295.00; to purchase approximately 32,900 board feet of timber, 20 cords of firewood and 430 tons of pulp on Timber Lot No. 276 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Ent., of \$11,101.00; to purchase approximately 92,000 board feet of timber on Timber Lot No. 277 - Ware River Watershed.

The Commission further V O T E D: to reject the only bid received, that of Tim Robinson Logging, of \$2,310.00; to purchase approximately 55,000 board feet of timber, 9 cords of firewood and 70 tons of pulp on Timber Lot No. 278 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Tommila Bros., of \$17,549.00; to purchase approximately 203,000 board feet of timber, 652 cords of firewood, 93 cords in tops and 76 tons of pulp on Timber Lot No. 816A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to reject the only bid received that of Tim Robinson, of \$23,675.00; to purchase approximately 307 board feet of timber, 960 cords of firewood, 240 cords of firewood in tops,, and 150 tons of pulp on Timber Lot No. 822A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson, of \$25,874.20; to purchase approximately 298,000 board feet of timer, 42 cords of firewood and 1,000 tons of pulp on Timber Lot No. 823A - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Wagner Wood, of \$18,688.00; to purchase approximately 211,000 board feet of timber, 186 cords of firewood, 39 cords in tops and 75 tons of pulp on Timber Lot No. 824 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Puffer Forest Products, of \$306.25; to purchase approximately 25 cords of firewood on Timber Lot No. 825 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of King-Chaffee Ent., of \$30,101.00; to purchase approximately 258,000 board feet of timber, 7 cords of firewood, 41 tons of pulp and 349 tons of pulp tops on Timber Lot No. 826 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of King-Chaffee Ent., of \$31,501.00; to purchase approximately 271,000 board feet of timber, 13 cords of firewood and 411 tons of pulp on Timber Lot No. 827 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of W. D. Cows, Inc., of \$18,891.50; to purchase approximately 242,000 board feet of timber, 242 cords of firewood, 50 cords in tops, 215 tons of pulp and 149 tons of pulp

tops on Timber Lot No. 828 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Conkey Logging & Lumber, of \$3,505.05; to purchase approximately 46,000 board feet of timber, 27 cords of firewood, 10 cords in tops and 22 tons of pulp on Timber Lot No. 829 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Ent., of \$17,101.00; to purchase approximately 155,500 board feet of timber, 4 cords of firewood and 13 tons of pulp on Timber Lot No. 830 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Tommila Bros., of \$63,393.00; to purchase approximately 216,000 board feet of timber, 581 cords of firewood, and 338 cords of tops on Timber Lot No. 831 - Quabbin Reservoir Watershed.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, December 11, recommending approval and authorization for Commissioner Balfour to execute a License for Entry Agreement with DDRC-Gateway LLC, for the use and occupancy of an MDC permanent access easement area near the Amelia Earhart Dam, and the construction of a truck turn around area for the MDC on MDC property, in the City of Everett, Massachusetts, pursuant to and in accordance with the provisions of said Agreement.
The Commission V O T E D: to approve a License for Entry Agreement with DDRC-Gateway LLC, for the use and occupancy of an MDC permanent access easement area near the Amelia Earhart Dam, and the construction of a truck turn around area for the MDC on MDC property, in the City of Everett, Massachusetts, pursuant to and in accordance with the provisions of said Agreement.
The Commission further V O T E D: authorization for Commissioner Balfour to execute a License for Entry Agreement with DDRC-Gateway LLC.

Action was taken upon the following Various Matters:

2. Report of Mr. French, December 14, requesting approval of renewal service contract with Vitale Caturano & Co., (Vitale), for a Fiscal Analysis Study and Report for Proposed Recreational Prototype Facilities.
Compensation - not-to-exceed - \$15,000.00.
Time for Performance - Six months - as provided for in the original service contract.
Mr. French further requests authorization for Commissioner Balfour to execute the service contract on behalf of the Commission.
Account No. 2440-9800.
The Commission V O T E D: Approved.
3. Report of Mr. Jewett, December 15, requesting approval and authorization for Commissioner Balfour to execute Contract No. P99-5000-X1A, with Michael R. McDonald, for Construction Contract

The first part of the paper discusses the importance of maintaining accurate records of all transactions. It is essential for the business to have a clear and concise record of all income and expenses. This will allow the business to track its financial performance over time and identify areas for improvement. The second part of the paper discusses the importance of maintaining accurate records of all assets and liabilities. This will allow the business to track its net worth over time and identify areas for improvement. The third part of the paper discusses the importance of maintaining accurate records of all taxes paid. This will allow the business to track its tax liability over time and identify areas for improvement. The fourth part of the paper discusses the importance of maintaining accurate records of all debts. This will allow the business to track its debt liability over time and identify areas for improvement. The fifth part of the paper discusses the importance of maintaining accurate records of all equity. This will allow the business to track its equity over time and identify areas for improvement. The sixth part of the paper discusses the importance of maintaining accurate records of all other financial information. This will allow the business to track its overall financial performance over time and identify areas for improvement.

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(con.-)

Attorney Services - at a cost of not-to-exceed \$49,500.00 (\$50.00 per hour).

Time for Performance - one year commencing on January 1, 1999 - with two one year options to renew at the Commission's discretion.

Account No. 2460-1000.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute Contract No. P99-5000-X1A, with Michael R. McDonald, on behalf of the Commission.

Adjourned at 9:45 a.m., to meet on Thursday, December 30, 1998, at 9:00 a.m.


S e c r e t a r y

1. The first part of the paper discusses the importance of maintaining accurate records of all transactions. This is essential for the proper management of the company's finances and for ensuring that all parties involved are kept up to date on the current status of the business.

2. The second part of the paper describes the various methods used to collect and analyze data. This includes the use of surveys, interviews, and focus groups to gather information from a wide range of sources. The data is then analyzed using statistical techniques to identify trends and patterns.

3. The third part of the paper presents the results of the study. This includes a detailed description of the findings and a discussion of their implications for the company's future operations. The results show that there is a need for more effective communication and coordination between the different departments of the company.

4. The fourth part of the paper discusses the challenges faced by the company in implementing the recommendations. This includes the need for more resources and the need to overcome resistance to change. The paper also discusses the importance of ongoing monitoring and evaluation to ensure that the recommendations are being implemented effectively.

5. The fifth part of the paper concludes with a summary of the findings and a list of recommendations for the company. The recommendations include the need for more effective communication and coordination, the need for more resources, and the need for ongoing monitoring and evaluation.

6. The sixth part of the paper discusses the importance of maintaining accurate records of all transactions. This is essential for the proper management of the company's finances and for ensuring that all parties involved are kept up to date on the current status of the business.

7. The seventh part of the paper describes the various methods used to collect and analyze data. This includes the use of surveys, interviews, and focus groups to gather information from a wide range of sources. The data is then analyzed using statistical techniques to identify trends and patterns.

8. The eighth part of the paper presents the results of the study. This includes a detailed description of the findings and a discussion of their implications for the company's future operations. The results show that there is a need for more effective communication and coordination between the different departments of the company.

9. The ninth part of the paper discusses the challenges faced by the company in implementing the recommendations. This includes the need for more resources and the need to overcome resistance to change. The paper also discusses the importance of ongoing monitoring and evaluation to ensure that the recommendations are being implemented effectively.

10. The tenth part of the paper concludes with a summary of the findings and a list of recommendations for the company. The recommendations include the need for more effective communication and coordination, the need for more resources, and the need for ongoing monitoring and evaluation.

Record of the Three Thousand Eight Hundred and Seventy Sixth (3876st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Wednesday, December 30, 1998 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr and Elkort.

The Records of the Commission Meeting held on December 10, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Kane, December 14, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Orders and Revisions in Quantities on Contract No. P97-1913-C1A, with Langton & Douglas Contracting, Inc., for Rehabilitation of Historic Stables, Land Boulevard and O'Brien Highway, as follows -

Extra Work Orders

| | |
|--|-------------------|
| Extra Work Order No. 9 | \$3,534.36 |
| Repairing Soil Pipe Exiting the Building | |
| Extra Work Order No. 10 | <u>\$2,200.04</u> |
| Replacing Main Wiring to Main Sub-Panel in Office. | |

Total Cost - \$5,734.40

Revisions in Quantities

| | |
|---|-------------------|
| Item No. 09900-3 | \$1,009.80 |
| Painting Magnum-Series Windows | |
| Item No. 15700-1 | <u>\$1,131.61</u> |
| Installation of Two Window Air Conditioning Units | |

Total Cost - \$2,141.41

Funds are available in Account No. 2449-0003.

Messrs. Faucher, Brooks and Kane further request an extension of time from July 14, 1998 to January 30, 1999, to complete the extra work, revisions in quantities and to keep the Contract encumbrance in an active status in the State Comptroller's MMARS System, to allow Contract payments due after July 14, 1998, to be paid.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Orders and Revisions in Quantities on Contract No. P97-1913-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of \$3,534.36.

The Commission further V O T E D: to approve Extra Work Order No. 10, in the amount of \$2,200.04.

The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of \$2,141.41.

The Commission further V O T E D: to approve an extension of time from July 14, 1998 to January 30, 1999, as requested by Messrs. Faucher, Brooks and Kane in their report of December 14, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Griffin and Mrs. O'Brien, December 9, recommending approval of an extension of time for administration purposes only, from December 31, 1998 to June 30, 1999, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park, due to remaining weather sensitive work and to keep the project in an active status to allow Contract payments after December 31, 1998.
At no increase in Contract cost.
(The extension of time will in no way affect the liquidated damages provisions of Article XXI that may be due the Commission. The extension shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract).
The Commission V O T E D: to approve an extension of time for administration purposes only, from December 31, 1998 to June 30, 1999, as recommended by Messrs. Faucher, Griffin and Mrs. O'Brien, in their report of December 9, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation. This extension of time shall in no way affect the liquidated damages provisions of Article XXI that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.
2. Report of Messrs. Faucher, Brooks and Mayhew, December 14, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 2, for additional work to backfill, remove and re-backfill the excavated trench for water and sewer lines to the existing site trailers, at a cost of \$370.38, on Contract No. P98-1928-C2A, with MRP Site Developers, Inc., for Building Demolition and Site Improvements, Ocean Avenue, Revere.
Account No. 2490-8881.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 2, on Contract No. P98-1928-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$370.38.
3. Report of Messrs. Faucher and DiRamio, December 18, recommending approval of the action of Deputy Commissioner Faucher, resulting in Revisions in Quantities, as follows on Contract No. P95-1783-C1A, with B & E Construction Corporation, for Rehabilitation of Constitution Beach, East Boston -

| | |
|-----------------------------------|-------------|
| Item No. 002-020 | \$ 1,300.00 |
| Disposal of Treated Wood Products | |
| Item No. 002-030 | \$16,500.00 |
| Test Pits | |
| Item No. 002-230 | \$ 1,800.00 |
| Bridge Excavation | |
| Item No. 002-250 | \$19,600.00 |
| Class B Trench Excavation | |
| Item No. 002-290 | \$12,800.00 |
| Crushed Stone | |
| Item No. 002-370 | \$15,400.00 |
| Clearing & Grubbing | |
| Item No. 005-060 | \$ 350.00 |
| Manhole 5' Diameter over 9'0" | |

1. The first part of the document is a list of names and addresses of the members of the committee.

2. The second part of the document is a list of names and addresses of the members of the committee.

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9. The ninth part of the document is a list of names and addresses of the members of the committee.

| | |
|-----------------------|--------------------|
| Item No. 005-160 | \$ 3,145.00 |
| 24" RC Pipe -545 l.f. | |
| Item No. 006-030 | <u>\$ 2,000.00</u> |
| Ductile Iron Fittings | |
| Total - | \$72,895.00 |

Account No. 2440-8956.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Revisions in Quantities, on Contract No. P95-1783-C1A.

The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of \$72,895.00.

1. Report of Messrs. Faucher and DiRamio, December 21, recommending approval of Alteration No. 1, for installation of two new 20' x 20' x 16' high backstops with 7' overhang, at a cost of \$19,287.92, on Contract No. P95-1783-C1A, with B & E Construction Corporation, for Rehabilitation of Constitution Beach, East Boston.

Messrs. Faucher and DiRamio further recommend approval of additional funding in the amount of \$9,287.92, from Account No. 2440-8956.

The Commission V O T E D: to approve Alteration No. 1, in the amount of \$19,287.92.

The Commission further V O T E D: approval of additional funding in the amount of \$9,287.92, from Account No. 2440-8956.

2. Report of Messrs. Faucher and DiRamio, December 22, recommending approval of Extra Work Orders on Contract No. P95-1783-C1A, with B & E Construction Corporation, for Rehabilitation of Constitution Beach, East Boston, as follows -

| | |
|------------------------|------------|
| Extra Work Order No. 2 | \$1,165.88 |
|------------------------|------------|

Additional Construction Signs

| | |
|------------------------|-------------------|
| Extra Work Order No. 3 | <u>\$5,634.98</u> |
|------------------------|-------------------|

High Ball Netting for Baseball Field

Total - \$6,800.86

Account No. 2440-8956.

The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of \$1,165.88.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$5,634.98.

3. Report of Messrs. Faucher, Brooks and Balicki, December 10, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. P99-1987-C1A, for Pumps and Other Equipment Replacement, Fellsway Outbound Tunnel Pump Station, Somerville.

Estimated Cost - \$70,000.00.

Time of Performance - eight to ten weeks.

Account No. 2490-0017.

The Commission V O T E D: Approved.

The Commission further V O T E D: permission to advertise Project No. P99-1987-C1A, for Pumps and Other Equipment Replacement, Fellsway Outbound Tunnel Pump Station, Somerville.

Action was taken upon the following Various Matters:

4. Report of Mrs. O'Brien and Mr. Corsi, December 28, submitting for approval Project Summary and Work Schedule, for Project No. PL99-056-X1A, Lower Charles River Basin Stormwater Loads Modeling Program.

Estimated Cost - \$50,000.00.

Time of Performance - 24 months (at a cost not-to-exceed
\$25,000.00 per year).

Account No.2449-7350.

Mrs. O'Brien and Mr. Corsi, further recommend authorization for the Planning Office, acting through the Contract Administrator, to request proposals from qualified parties).

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for the Planning Office, acting through the Contract Administrator, to request proposals from qualified parties.

1. Report of Ms. Overton and Mr. Traficante, December 28, requesting approval and execution of an Amendment for an extension of time from December 31, 1998 to February 28, 1999, on Contract No. P95-1766-X1A, with Covino Environmental Associates, Inc, for Industrial Hygiene Services.

(At no additional Contract cost).

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment, dated December 30, 1998, to Contract No. P95-1766-X1A, with Covino Environmental Associates, Inc., which was signed by the Commissioner and two Associate Commissioners.

2. Report of Mr. Jewett, December 28, requesting approval and execution of Amendment No. 2, changing the scope of services among the prime consultant and its sub-consultant team and reducing the compensation by \$50,977.29, due to the transfer of the management of the Contract to the Central Artery/Tunnel Project management team, on Contract No. PL95-037-D1A, with Childs Engineering Corp., for the New Charles River Basin/Lovejoy Wharf.

The Commission V O T E D: Approved as requested by Mr. Jewett in his report of December 28, 1998.

The Secretary then submitted for signature Amendment No. 2, dated December 30, 1998, to Contract No. PL95-037-D1A, with Childs Engineering Corp., which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:

3. Report of Mr. Gray, December 28, recommending that the Commission declare surplus and transfer in accordance with the provisions of Chapter 74 of the Acts of 1998, that certain parcel of land located in the City of Boston and containing approximately 10.036 acres, to the Forest Hills Cemetery Association, subject to the requirements of said Act, the provisions of the EOEA Article 97 Land Disposition Policy, and the conditions set by the Commission.

The Commission V O T E D: to declare surplus and transfer in accordance with the provisions of Chapter 74 of the Acts of 1998, that certain parcel of land located in the City of Boston and containing approximately 10.036 acres, to the Forest Hills Cemetery Association, subject to the requirements of said Act, the provisions of the EOEA Article 97 Land Disposition Policy, and the conditions set by the Commission.

The first part of the paper discusses the importance of the study and the objectives of the research. It then proceeds to a literature review, followed by a description of the methodology used. The results of the study are presented in the next section, and the discussion follows. Finally, the conclusion is drawn, and the implications of the findings are discussed.

The study was conducted in a laboratory setting, and the results were compared with those of previous studies. The findings suggest that there is a significant difference between the two groups, and this difference is statistically significant. The results of the study are consistent with those of previous studies, and this suggests that the findings are reliable.

The study was limited by the fact that it was conducted in a laboratory setting, and the results may not be generalizable to other settings. However, the study was well-designed, and the results are consistent with those of previous studies. The findings suggest that there is a significant difference between the two groups, and this difference is statistically significant.

The study was well-designed, and the results are consistent with those of previous studies. The findings suggest that there is a significant difference between the two groups, and this difference is statistically significant. The results of the study are consistent with those of previous studies, and this suggests that the findings are reliable.

1. Report of Mr. Gray, December 28, recommending that the Commission affirm its Order of Taking adopted at its meeting of December 3, 1998, and adopt an Order of Taking for acquisition of approximately 539 square feet or 0.0124 acre of land owned by Michael J. Ivanisin and Evelyn H. Ivanisin, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of \$20,000.00. Account No. 2420-7961.
The Commission V O T E D: to affirm its Order of Taking adopted at its meeting of December 3, 1998, and adopt an Order of Taking for acquisition of approximately 539 square feet or 0.0124 acre of land owned by Michael J. Ivanisin and Evelyn H. Ivanisin, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 30, 1998.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Sections 2 and 63 of Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, and for sewer and sewage pumping purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, on behalf of said Town of Holden, namely:

A certain parcel of land situated in said Town of Holden, more particularly bounded and described as follows:

BEGINNING at a point on the southeasterly line of Mark Bradford Drive, at the most northerly corner of land of Ivanisin shown as Lot 31 on a plan of land recorded with Worcester District Registry of Deeds in Plan Book 314, Plan 96, and at the most northwesterly corner of land now or formerly of Seed shown as Lot 28 on said plan;

THENCE S 20° 26' 34" E along said Lot 28, a distance of 18.81 feet to a point;

THENCE S 63° 24' 36" W, a distance of 25.96 feet to a point;

THENCE N 32° 44' 15" W, a distance of 18.81 feet to a point at Mark Bradford Drive;

THENCE Northeasterly along said Mark Bradford Drive and the arc of a curve to the right having a radius of 140.00 feet, a distance of 30.04 feet to the point of beginning.

Containing approximately 539 square feet or 0.0124 acre, and being shown as Parcel 1 and as the "MDC Pump Station Site" on a plan of land entitled "Plan of Fee Taking for Metropolitan District Commission in Holden, Mass.," prepared for Weston and Sampson Engineers, Inc., by Vaidya Consultants, Inc., John D. Church, P.L.S., and dated October 30, 1998, which plan is on file with said Commission and is incorporated herein and made a part of this order, and shall be recorded either simultaneously with this order of taking or at a later date.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being a portion of the premises described in a deed from Leonard L. Leroux, et ux, to Michael J. Ivanisin, et ux, dated July 19, 1976 and recorded with Worcester District Registry of Deeds in Book 5983, Page 380. Also meaning and intending to take hereby any and all temporary rights-of-way in and to the roads and ways under the control of the Towns of West Boylston and Holden, Massachusetts, at no compensation, required to complete the construction of MDC Waste Water Project No. WM93-001-S1A for sewer and sewage pumping purposes.

The above described property is represented upon Holden Assessors Tax Map 178 as a portion of Parcel 58.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

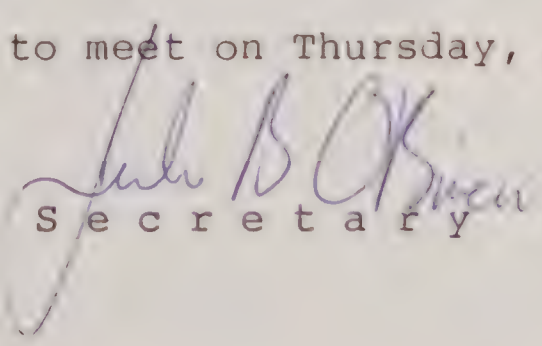
| <u>OWNERS</u> | <u>AWARD</u> |
|---|--------------|
| Michael J. Ivanisin and Evelyn H. Ivanisin | \$ 20,000.00 |

The Commission hereby expressly authorizes its Watershed Management Division to enter into any and all necessary memoranda of agreement and other agreements, permits and licenses on behalf of said Commission with other state or public agencies which may have control over highways, roads or ways, to ensure the proper access for, and the unimpeded construction of, said Project.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby transfer any and all rights and interests in real property acquired for said project and in and to the sewer and sewer pumping system constructed under said Project, upon the completion of said construction, to the appropriate parties as designated and otherwise authorized by said acts and provisions, as determined by its Division of Watershed Management, for all purposes consistent with said acts and provisions.

The Commission further V O T E D: to approve an award of damages in the amount of \$20,000.00.

Adjourned at 9:40 a.m., to meet on Thursday, January 14, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Seventy Seventh (3877th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 14, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Settles and Wu.

The Records of the Commission Meeting held on December 17, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Abounaja, December 17, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 7, for Installation of two (2) 275 Gallon Above Ground Storage Heating Oil Tanks, including new Piping and Connections to the Boiler at the MDC Signal Corps Building, Castle Island, South Boston, at a cost of \$5,200.00, on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Clean-Up at Various MDC Facilities.
(At no increase in Contract cost as the Extra Work will be offset by unused quantities in Item No. 002-003 - Furnish and Install 3000 Gallon Underground Heating Oil Fuel Tank).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 7, on Contract No. P95-1789-C3A.
The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of \$5,200.00.
2. Report of Messrs. Faucher, Brooks and Abounaja, December 29, recommending approval of the request of SCS Environmental Services, Inc., for an extension of time from December 31, 1998 to June 30, 1999, on Contract No. P88-1548-C4A, for Asbestos Abatement at Various MDC Facilities, due to the need for additional time to complete project.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from December 31, 1998 to June 30, 1999, as recommended by Messrs. Faucher, Brooks and Abounaja, in their report of December 29, 1998, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
3. Report of Messrs. Faucher, Brooks and Abounaja, December 29, recommending approval of the request of Environmental Restoration, Inc., for an extension of time from December 31, 1998 to June 30, 1999, on Contract No. P95-1792-C1B, for Lead Paint Removal at Various MDC Facilities, due to the need for additional time to complete project.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from December 31, 1998 to June 30, 1999, as recommended by Messrs. Faucher, Brooks and Abounaja, in their report of December 29, 1998, to be effective, however, only upon receipt of the written

consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Lenhardt, December 28, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P99-1985-X1A, for Bridge Scupper Cover Replacement, Cambridge - Somerville.
Estimated Cost - \$5,000.00.
Account No. 2490-0017.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-1985-X1A, for Bridge Scupper Cover Replacement, Cambridge - Somerville.
2. Report of Messrs. Faucher and Lenhardt, December 29, requesting approval of the request of WES Construction Corporation, Contractor on Contract No. PL97-044-C1A, for Pope John Paul II Park/Phase I, Neponset Reservation, to engage the services of Steelco Chain Link Fence Erecting Co., Inc., as sub-contractor for Item No. 1 - Site Preparation, at a value of \$15,000.00.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher, Brooks and Haider, January 7, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 11, for Replacing of Utica Oil Fired Boiler at Castle Island Maintenance House, South Boston - at a cost not-to-exceed \$7,969.00, on Contract No. P97-1916-M1A, with P. J. Kennedy & Sons, Inc., for Servicing of HVAC Systems at Various MDC Facilities within the Metro Parks System.
Account No. 2440-8952.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 11, on Contract No. P97-1916-M1A.
The Commission further V O T E D: to approve Extra Work Order No. 11, in an amount not-to-exceed \$7,969.00.
4. Report of Messrs. Faucher and Machado, January 8, recommending approval of a revision in quantities on Item No. 035-010 - SS Guard Rail and Posts (straight) - at a cost of \$6,720.00, on Contract No. P97-1919-C1A, with DeLucca Fence Co., Inc., for Installation of Closure Gates, Guard Rail and Fences.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 087-010 - Monthly Transportation Vehicle).
The Commission V O T E D: Approved.
5. Report of Mr. Faucher and Mrs. Graves-Jones, December 29, recommending approval of the action of Deputy Commissioner Faucher, resulting in a revision in quantities on Item No. 003-010 - 4" Reflectorized Line (Thermoplastic) - at a cost of \$17,000.00, on Contract No. P98-1924-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways

The first part of the paper discusses the importance of maintaining accurate records of all transactions. It is essential for the company to have a clear and concise system in place to ensure that all data is properly recorded and stored. This will allow for easy access and retrieval of information when needed.

The second part of the paper focuses on the importance of regular communication and collaboration between all team members. It is crucial for everyone to stay informed about the latest developments and to be able to share their own insights and experiences. This will help to ensure that the team is working together effectively and efficiently.

The third part of the paper discusses the importance of maintaining a high level of security for all data. It is essential to implement strong security measures to protect against unauthorized access and data loss. This will help to ensure that the company's information is kept safe and secure at all times.

The fourth part of the paper focuses on the importance of regular training and development for all team members. It is crucial for everyone to stay up-to-date on the latest industry trends and to be able to apply this knowledge to their work. This will help to ensure that the team is always working at the highest level of performance.

The fifth part of the paper discusses the importance of maintaining a clear and concise system of communication. It is essential to have a clear and concise system in place to ensure that all information is properly recorded and stored. This will allow for easy access and retrieval of information when needed.

The sixth part of the paper focuses on the importance of regular communication and collaboration between all team members. It is crucial for everyone to stay informed about the latest developments and to be able to share their own insights and experiences. This will help to ensure that the team is working together effectively and efficiently.

The seventh part of the paper discusses the importance of maintaining a high level of security for all data. It is essential to implement strong security measures to protect against unauthorized access and data loss. This will help to ensure that the company's information is kept safe and secure at all times.

The eighth part of the paper focuses on the importance of regular training and development for all team members. It is crucial for everyone to stay up-to-date on the latest industry trends and to be able to apply this knowledge to their work. This will help to ensure that the team is always working at the highest level of performance.

The ninth part of the paper discusses the importance of maintaining a clear and concise system of communication. It is essential to have a clear and concise system in place to ensure that all information is properly recorded and stored. This will allow for easy access and retrieval of information when needed.

The tenth part of the paper focuses on the importance of regular communication and collaboration between all team members. It is crucial for everyone to stay informed about the latest developments and to be able to share their own insights and experiences. This will help to ensure that the team is working together effectively and efficiently.

and Roadways of the MDC.

Account No. 2490-0017.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in a revision in quantities on Contract No. P98-1924-M1A.

The Commission further V O T E D: to approve the revision in quantities, in the amount of \$17,000.00.

1. Report of Messrs. Faucher and Machado, January 8, recommending approval of the action of Deputy Commissioner Faucher resulting in revisions in quantities and Extra Work Orders, on Contract No. P97-1920-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area, as follows -

Revisions in Quantities

| | |
|------------------|--------------|
| Item No. 007-010 | \$116,550.00 |
|------------------|--------------|

Bituminous Concrete

| | |
|------------------|--------------|
| Item No. 008-010 | \$ 30,000.00 |
|------------------|--------------|

Bituminous Concrete for Driveways/Patching/
Small Parking Lots.

Extra Work Orders

| | |
|------------------------|--------------|
| Extra Work Order No. 1 | \$ 20,000.00 |
|------------------------|--------------|

Fine Grading

| | |
|------------------------|-------------|
| Extra Work Order No. 2 | \$ 1,350.00 |
|------------------------|-------------|

Weed Killing

Total - \$167,900.00

Account No. 2490-0017.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in revisions in quantities and Extra Work Orders, on Contract No. P97-1920-C1A.

The Commission further V O T E D: to approve the revisions in quantities, in the amount of \$146,550.00.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$20,000.00.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$1,350.00.

2. Report of Messrs. Faucher and Machado, January 4, recommending approval of the action of Deputy Commissioner Faucher, resulting in revisions in quantities, on Contract No. P97-1918-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, as follows -

| | |
|------------------|-------------|
| Item No. 001-010 | \$ 9,288.00 |
|------------------|-------------|

Unclassified Excavation

| | |
|------------------|-------------|
| Item No. 003-010 | \$ 1,716.00 |
|------------------|-------------|

Gravel Borrow

| | |
|------------------|-------------|
| Item No. 004-010 | \$ 5,320.00 |
|------------------|-------------|

Loam Borrow

| | |
|------------------|-----------|
| Item No. 008-010 | \$ 300.00 |
|------------------|-----------|

Utility Boxes Adjusted to Grade

| | |
|------------------|-----------|
| Item No. 009-010 | \$ 606.00 |
|------------------|-----------|

Curbing or Edging Removed and Disposed of

| | |
|------------------|-------------|
| Item No. 011-010 | \$ 8,540.00 |
|------------------|-------------|

New Granite Edgestone, Type VA 4-6", Straight

The first part of the paper discusses the importance of the study and the objectives of the research. It also provides a brief overview of the methodology used in the study. The second part of the paper presents the results of the study and discusses the implications of the findings. The third part of the paper concludes the study and provides some final thoughts on the research.

The study was conducted using a qualitative research approach. The data was collected through interviews with participants who were selected through purposive sampling. The interviews were conducted in a semi-structured format, allowing the researcher to explore the topics in depth while also following a general guide. The data was then analyzed using thematic analysis, which involves identifying themes or patterns in the data.

The findings of the study suggest that there are several factors that influence the outcomes of the research. These factors include the quality of the data, the reliability of the participants, and the effectiveness of the research methods. The study also highlights the importance of careful planning and execution in conducting research.

In conclusion, the study provides valuable insights into the research process and the factors that influence its outcomes. It also emphasizes the need for ongoing research and improvement in the field.

| | |
|---|--------------------|
| Item No. 015-010 | \$ 1,533.00 |
| Pavement Trimming | |
| Item No. 017-010 | \$ 160.00 |
| Cement Concrete in Front & Back of Edgestone | |
| Item No. 019-010 | \$14,402.96 |
| Cement Concrete Sidewalk 6" Thick with Welded Wire Mesh | |
| Item No. 021-010 | <u>\$30,584.25</u> |
| Bituminous Concrete for Sidewalks, Driveways, Patching, Small Parking Lots and Sport Courts | |
| Total - | \$72,450.21 |

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 005-010, 006-020, 006-040, 007-010, 010-010, 012-010, 013-010, 014-010, 016-010, 018-010, 020-010, 022-010, 023-010, 024-010, 025-010, 026-010, 027-010 and 028-010).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in revisions in quantities, on Contract No. P97-1918-C1A.

The Commission further V O T E D: to approve the revisions in quantities, in the amount of \$72,450.21.

1. Report of Messrs. Faucher, Brooks and Mayhew, January 5, on bids for Demolition of the Magazine Beach Sanitary, Cambridge. (Messrs. Faucher, Brooks and Mayhew recommend acceptance of the lowest bid received, that of Jay-Mor Enterprises, Inc., of \$24,950.00).
The Commission V O T E D: to accept the lowest bid received, that of Jay-Mor Enterprises, Inc., of \$24,950.00.
2. Report of Messrs. Faucher, Brooks and Mayhew, January 5, on bids for Demolition of Dwelling at Triphammer Woods, Hingham. (Messrs. Faucher, Brooks and Mayhew recommend acceptance of the lowest bid received, that of McConnell Enterprises, Inc., of \$45,000.00).
The Commission V O T E D: to accept the lowest bid received, that of McConnell Enterprises, Inc., of \$45,000.00.
3. Report of Messrs. Faucher, Brooks and Martinez, January 13, recommending approval of the request of T-Ford Company, Inc., Contractor on Contract No. P99-1972-C1A, for Utilities Connection for the Temporary Outdoor Peter J. Kelly Ice Skating Rink in Jamaica Plain, to engage the services of the following sub-contractors -

| | |
|---|--------------------|
| McCoy Fence, Inc. | \$11,190.00 |
| Furnish and Install Vinyl Coated Chain Link Fence | |
| Don Martin Corporation | \$10,200.00 |
| Furnish and Install Bituminous Concrete | |
| Basic Elements Corporation | <u>\$ 3,000.00</u> |
| Plumbing | |

Total = \$24,390.00

(At no increase in Contract cost).

The Commission V O T E D: Approved as recommended by Messrs. Faucher, Brooks and Martinez, in their report of January 13, 1999.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is essential for the company's financial health and for providing reliable information to stakeholders.

2. The second part of the document outlines the procedures for recording transactions. It details the steps that must be followed to ensure that all transactions are properly documented and that the records are up-to-date.

3. The third part of the document describes the methods for reconciling the records. It explains how the company's internal records should be compared with external statements to identify any discrepancies and to ensure that the records are accurate.

4. The fourth part of the document discusses the role of the accounting department in maintaining the records. It highlights the importance of the accounting department in ensuring that the records are complete and that they are used to provide accurate financial information.

5. The fifth part of the document describes the methods for auditing the records. It explains how the company's internal records should be reviewed by an independent auditor to ensure that they are accurate and that they comply with the relevant accounting standards.

6. The sixth part of the document discusses the importance of maintaining the records for a long period of time. It explains that the records should be kept for at least seven years, as this is the minimum period required by the relevant accounting standards.

7. The seventh part of the document describes the methods for storing the records. It explains that the records should be stored in a secure location and that they should be protected from loss or damage.

8. The eighth part of the document discusses the importance of maintaining the records in a clear and concise manner. It explains that the records should be easy to read and that they should be organized in a way that makes it easy to find the information that is needed.

9. The ninth part of the document describes the methods for updating the records. It explains that the records should be updated regularly and that any changes should be recorded in a clear and concise manner.

10. The tenth part of the document discusses the importance of maintaining the records in a secure and confidential manner. It explains that the records should be protected from unauthorized access and that they should be handled in a way that ensures their confidentiality.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Doak, January 11, recommending approval of the proposed membership rates as submitted by Community Boating Inc., for the 1999 Charles River Sailing Program.
The Commission V O T E D: to approve the proposed membership rates as submitted by Community Boating Inc., for the 1999 Charles River Sailing Program, as follows -

| | <u>1999</u> | <u>1998</u> |
|--------------------------------|-------------|------------------------|
| <u>Regular Membership Fees</u> | | |
| 45 Day (was 30 Days) | \$ 75.00 | \$ 65.00 (for 30 Days) |
| 75 Day | \$ 120.00 | \$ 130.00 |
| Full Year | \$ 190.00 | \$ 195.00 |
| <u>Special Needs Fees</u> | | |
| 45 Day (was 30 Days) | \$ 38.00 | \$ 32.00 (for 30 Days) |
| 75 Day | \$ 60.00 | \$ 62.50 |
| Full Year | \$ 95.00 | \$ 97.50 |
| <u>Youth Fees (ages 17-22)</u> | | |
| 45 Day (was 30 Days) | \$ 60.00 | \$ 50.00 (for 30 Days) |
| 75 Day | \$ 90.00 | \$ 100.00 |
| Full Year | \$ 145.00 | \$ 150.00 |
| <u>Membership Type</u> | | |
| Visitor | \$ 50.00 | \$ 50.00 |
| Senior Citizen (65 and Over) | \$ 60.00 | \$ 60.00 |
| Junior | \$ 1.00 | \$ 1.00 |
| Lifetime | \$2,250.00 | \$2,250.00. |

Action was taken upon the following Various Matter:

2. Report of Mr. Jewett, January 4, requesting authorization for Coneco Environmental Corporation to provide services for Environmental Site Investigation Services - MDC Properties, Hormel Stadium Complex, Medford, which provides for Comprehensive Sampling Program and Initial Site Investigation/Geotechnical Engineering study on a third parcel of land that is adjacent to the two parcels studied under an earlier contract.
Cost - not-to-exceed \$65,753.00.
Estimated Duration - two months.
Account No. 2440-8958.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of January 4, 1999.

Adjourned at 9:50 a.m., to meet on Thursday, January 21, 1999, at 9:00 a.m.


S e c r e t a r y

THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF

THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

THE SECOND

VOLUME

LONDON

Printed by J. Streater, at the

Sign of the Gun, in St. Dunstons

Church, near the North-Gate

1679

Record of the Three Thousand Eight Hundred and Seventy Eighth (3878th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 21, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on December 30, 1998 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Mayhew, January 14, recommending approval of the request of D & C Construction Company, Inc., for an extension of time from September 30, 1998 to June 30, 1999, on Contract No. PL92-017-C2A, for Upper Charles River Reservation Renovation - Phase 1B, due to need to complete seeding work.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from September 30, 1998 to June 30, 1999, as recommended by Messrs. Faucher, Brooks and Mayhew in their report of January 14, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
2. Report of Messrs. Faucher and Gearheart, January 11, recommending approval of an extension of time from January 31, 1999 through July 29, 1999, on Contract No. P82-1112-D2A, with Hayden/Wegman Consulting Engineers, for Peddock's Island Pier Replacement, (Task 5: Design Development and Task 6: Construction Engineering Services).
(At no increase in Contract cost).
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher and Griffin, and Mrs. O'Brien, December 21, recommending approval of the action of Deputy Commissioner Faucher, resulting in Alterations on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park, as follows -

| | |
|--------------------------------------|------------------|
| Alteration No. 6 | \$4,001.57 |
| A modification of Item No. 003-100 - | |
| Loam for Planting Bed Area | |
| Alteration No. 7 | <u>\$ 425.50</u> |
| Installation of a Custom Precast | |
| Electrical Pullbox | |
| Total - \$4,427.07 | |

(At no increase in Contract cost as there are sufficient unused quantities in Item No. 007-010 - Treated Timber for Wooden Deck to offset the increase).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Alteration Nos. 6 and 7, on Contract No. PL82-1022-C1A.
The Commission further V O T E D: to approve Alteration No. 6, in the amount of \$4,001.57.
The Commission further V O T E D: to approve Alteration No. 7, in the amount of \$425.50.

1.

Report of Messrs. Faucher, Brooks and Park, January 20, 1999, requesting approval of the action of Deputy Commissioner Faucher, resulting in the following on Contract No. P98-1952-C2A, with D & R General Contracting, Inc./MDR Construction Co., Inc., for Furnishing and Installing Three (3) Steel In-line Dasher Board Systems for Outdoor Rollerblading -

Alteration No. 2 **\$15,101.80**

Changing location of rollerblading dasher board system, from the Francis L. Murphy Skating Rink in South Boston to a location at Hormel Field, Medford.

Revisions in Quantities

| | | |
|--|---|-------------|
| Item No. 003-010 - Bituminous Concrete | - | \$37,030.00 |
| Item No. 005-010 - Cement Concrete | - | \$ 5,500.00 |
| Total of Revisions in Quantities | = | \$42,530.00 |

Extra Work Order No. 1 **\$16,650.05**

Adjust existing grades to required elevations for installation of dasher board systems.

Extra Work Order No. 2 **\$13,500.00**

Additional 900 tons of gravel borrow needed to re-grade proposed rink area at Nantasket Beach.

(Funds are available in Account No. 2440-8952).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Alteration No. 2, Revisions in Quantities and Extra Work Order Nos. 1 and 2, on Contract No. P98-1952-C2A.

The Commission further V O T E D: to approve Alteration No. 2, in the amount of \$15,101.80.

The Commission further V O T E D: to approve Revisions in Quantities, in the amount of \$42,530.00.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$16,650.05.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$13,500.00.

Action was taken upon the following matter relating to the Watershed Management Division:

2.

Report of Messrs. McGinn and Baratta, November 30, requesting approval of revisions in quantities on Contract No. WM95-061-C1A, with Roads Corp., for Fast Track Sewer Construction Pinecroft Area of Holden and West Boylston -

| | | |
|---|----|-------------|
| Item No. 1C - 10" PVC Sewers 0 - 16' | - | \$ 1,856.00 |
| Item No. 1D - 10" PVC Sewers Over 16' | - | \$ 2,546.00 |
| Item No. 1J - 8" PVC Sewers - 0-16"Cross Country- | \$ | 3,720.00 |
| Item No. 3B - 10"x6" PVC wye Branches | - | \$ 255.00 |
| Item No. 3E - 6" PVC Chimneys | - | \$21,375.00 |
| Item No.12A - Grinder Pumps, Complete in Place | - | \$16,320.39 |
| Total | = | \$46,072.39 |

Account No. 2420-7961.

The Commission V O T E D: Approved.

Action was taken upon the following Various Matter:

The first part of the paper discusses the importance of maintaining accurate records of all transactions. It is essential for the business to have a clear and concise record of all income and expenses. This will allow the business to track its financial performance over time and identify areas for improvement. The second part of the paper discusses the importance of maintaining accurate records of all assets and liabilities. This will allow the business to track its net worth over time and identify areas for improvement. The third part of the paper discusses the importance of maintaining accurate records of all debts and obligations. This will allow the business to track its financial obligations over time and identify areas for improvement. The fourth part of the paper discusses the importance of maintaining accurate records of all taxes and other legal obligations. This will allow the business to track its financial obligations over time and identify areas for improvement. The fifth part of the paper discusses the importance of maintaining accurate records of all other financial information. This will allow the business to track its financial performance over time and identify areas for improvement.

1.

Report of Mrs. O'Brien, January 8, submitting for approval and requesting authorization to solicit for consultant services, Project No. PL93-023-S1A, for a "Due Diligence" Investigation of the Soil Conditions Along the Length of the Proposed Neponset River Trail and a Risk Characterization in Accordance with the Mass-Contingency Plan.

Estimated Cost - \$75,000.00.

Time for Performance - twelve weeks from Notice to Proceed.

Account No. 2440-8961.

Associate Commissioner Elkort asked if any soil contamination problems were anticipated.

Mrs. O'Brien responded that contamination problems, typical of urban fill, have been encountered and will be remedied in the bicycle path contract.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to solicit for consultant services for Project No. PL93-023-S1A, as requested by Mrs. O'Brien, in her report of January 8, 1999.

Adjourned at 9:40 a.m., to meet on Thursday, January 28, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Seventy Ninth (3879th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 28, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on January 14, 1999 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement No. P82-1112-D2A, dated January 28, 1999, with Hayden/Wegman Consulting Engineers, for Peddock's Island Pier Replacement (Task 5: Design Development and Task 6: Construction Engineering Services).

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, January 20, recommending approval of Alteration No. 8, at a credit to the Commission, in the amount of \$4,940.00, for a modification to Item No. 030-040, Grate for Fish Ladder, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park.

The Commission V O T E D: to approve Alteration No. 8, at a credit to the Commission, in the amount of \$4,940.00, for a modification to Item No. 030-040, Grate for Fish Ladder, on Contract No. PL82-1022-C1A.

3. Report of Mr. Faucher and Mrs. Graves-Jones, January 21, recommending approval of an extension of time from January 31, 1999 to April 30, 1999, on Contract No. P98-1958-C1A, with Coviello Electric & General Contracting Co., Inc., for Reconstruction of Traffic Signal System VFW Parkway and Corey Street in West Roxbury, due to delay in delivery of the street lighting equipment for the project.

The Commission V O T E D: to approve an extension of time from January 31, 1999 to April 30, 1999, as recommended by Mr. Faucher and Mrs. Graves-Jones, in their report of January 21, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and DiRamio, January 21, recommending approval of the request of R.A.D. Corporation, for an extension of time from December 31, 1998 to July 15, 1999, on Contract No. P98-1954-C1A, for Construction of New Playground at Nantasket Beach, due to additional time needed to complete loaming and seeding and installation of play equipment.

(At no increase in Contract cost).

The Commission V O T E D: to approve an extension of time from December 31, 1998 to July 15, 1999, as recommended by Messrs.

Faucher and DiRamio, in their report of January 21, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and DiRamio, January 21, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 1, for Removing Reinforced Concrete - at a cost of \$2,400.00, on Contract No. P98-1954-C1A, with R.A.D. Corporation, for Construction of New Playground at Nantasket Beach, Hull.
Account No. 2440-8885.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 1, on Contract No. P98-1954-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$2,400.00.
2. Report of Messrs. Faucher and Jackson, January 19, on bids for Construction of New Playground at Caddy Park, Quincy.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of R.A.D. Corporation, of \$182,333.00).
The Commission V O T E D: to accept the lowest bid received, that of R.A.D. Corporation, of \$182,333.00.
3. Report of Messrs. Faucher and Sacco, January 9, recommending the following on Contract No. P99-1975-C1A, with George B. Smith and Sons, Inc., for Upper Mystic Lake Aqueduct Activation, Medford -
(a) That work be accepted as completed as of December 1, 1998.
(b) That reserve, in the amount of \$1,449.80, be approved for payment.
(Basis of Award - \$28,996.00)
(Amount to Date - \$28,996.00)
(Contract Performance Rating - 3.83)
(EEO Compliance - 2.25)
The Commission V O T E D: that the work of George B. Smith and Sons, Inc., Contractor under Contract No. P99-1975-C1A, be and hereby is accepted as completed as of December 1, 1998.
The Commission further V O T E D: to approve release of reserve, in the amount of \$1,449.80, for payment.
4. Report of Messrs. Faucher and Haider, January 4, recommending the following on Contract Number P97-1914-C3A, with A.B.C. Contractors, Inc., for Rehabilitation of the Waiting Room at Hull -
(a) That work be accepted as completed as of December 22, 1998.
(b) That Estimate No. 7 (Final), in the amount of \$43,543.34, be approved for payment.
(c) That reserve, in the amount of \$2,291.76, be approved for payment.
(Basis of Award - \$169,450.00)
(Amount to Date - \$215,285.10)
(Contract Performance Rating - 90.00 with 100.00 being excellent)
(EEO Compliance - 3.50)

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be carefully documented to ensure the integrity of the financial data. This section also outlines the procedures for reconciling accounts and identifying any discrepancies that may arise.

In the second section, the focus shifts to the analysis of the recorded data. It describes how the collected information can be used to identify trends, assess performance, and make informed decisions about future operations. The importance of regular reviews and reports is highlighted.

The third part of the document addresses the challenges associated with data management. It discusses common issues such as data loss, corruption, and unauthorized access, and provides strategies to mitigate these risks. The role of technology in enhancing data security and accessibility is also mentioned.

The final section concludes the document by summarizing the key points discussed. It reiterates the importance of a systematic approach to data management and encourages the implementation of the outlined practices. The document is signed off by the author, who expresses confidence in the effectiveness of the proposed methods.

The Commission V O T E D: that the work of A.B.C. Contractors, Inc., Contractor under Contract No. P97-1914-C3A, be and hereby is accepted as completed as of December 22, 1998.

The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of \$43,543.34, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$2,291.76, for payment.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Baratta, January 11, requesting approval of Amendment No. 5, to Contract Agreement No. WM97-061-D1A, for Construction Project #4W and #5W, with Weston & Sampson Engineers, Inc., for Master Sewer Design Phase II, West Boylston and Holden, which calls for an increase in funding, change of Scope of Services and an extension of time from April 30, 1999 to July 1, 1999.
Messrs. McGinn and Baratta further request that the Commission authorize the Contract Administrator to negotiate Amendment No. 5, with Weston and Sampson Engineers, Inc., in an amount not-to-exceed \$100,000.00.
Funds are available in Account No. 2420-7961.
The Commission V O T E D: to approve Amendment No. 5, to Contract Agreement No. WM97-061-D1A, for Construction Project #4W and #5W, with Weston & Sampson Engineers, Inc., for Master Sewer Design Phase II, West Boylston and Holden.
The Commission further V O T E D: to authorize the Contract Administrator to negotiate Amendment No. 5, with Weston and Sampson Engineers, Inc., in an amount not-to-exceed \$100,000.00.
2. Report of Messrs. McGinn and Baratta, January 11, requesting approval of Amendment No. 1, to Contract Agreement No. WM97-061-D3A, for Construction Project #1H and #3H, with Camp Dresser & McKee, Inc., for Fast Track Sewer Construction Pinecroft Area, West Boylston and Holden, which calls for an increase in funding.
Messrs. McGinn and Baratta further request that the Commission authorize the Contract Administrator to negotiate Amendment No. 1, with Camp Dresser & McKee, Inc., in an amount not-to-exceed \$100,000.00.
Funds are available in Account No. 2420-7961.
The Commission V O T E D: to approve Amendment No. 1, to Contract Agreement No. WM97-061-D3A, for Construction Project #1H and #3H, with Camp Dresser & McKee, Inc., for Fast Track Sewer Construction Pinecroft Area, West Boylston and Holden.
The Commission further V O T E D: to authorize the Contract Administrator to negotiate Amendment No. 1, with Camp Dresser & McKee, Inc., in an amount not-to-exceed \$100,000.00.
3. Report of Mr. McGinn, January 19, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1724, conveying N. W. 1/8 Lot No. 1140 to Gerard O. and Mary Jane Houle.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery

The first part of the report deals with the general situation of the country. It is found that the country is generally well settled, and that the population is increasing rapidly. The land is fertile, and the climate is healthy. The people are industrious, and the commerce is flourishing.

The second part of the report deals with the details of the country. It is found that the country is well watered, and that the soil is fertile. The people are industrious, and the commerce is flourishing. The land is fertile, and the climate is healthy. The people are industrious, and the commerce is flourishing.

The third part of the report deals with the details of the country. It is found that the country is well watered, and that the soil is fertile. The people are industrious, and the commerce is flourishing. The land is fertile, and the climate is healthy. The people are industrious, and the commerce is flourishing.

The fourth part of the report deals with the details of the country. It is found that the country is well watered, and that the soil is fertile. The people are industrious, and the commerce is flourishing. The land is fertile, and the climate is healthy. The people are industrious, and the commerce is flourishing.

The fifth part of the report deals with the details of the country. It is found that the country is well watered, and that the soil is fertile. The people are industrious, and the commerce is flourishing. The land is fertile, and the climate is healthy. The people are industrious, and the commerce is flourishing.

The sixth part of the report deals with the details of the country. It is found that the country is well watered, and that the soil is fertile. The people are industrious, and the commerce is flourishing. The land is fertile, and the climate is healthy. The people are industrious, and the commerce is flourishing.

The seventh part of the report deals with the details of the country. It is found that the country is well watered, and that the soil is fertile. The people are industrious, and the commerce is flourishing. The land is fertile, and the climate is healthy. The people are industrious, and the commerce is flourishing.

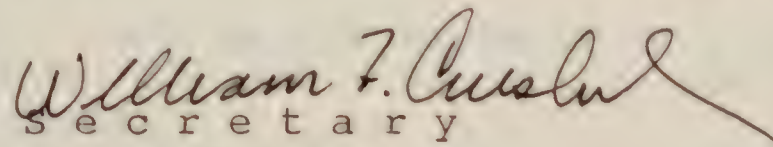
Deed No. Q-1724, dated January 28, 1999, which was signed by the Commissioner and two Associate Commissioners.

1. Report of Mr. McGinn, January 19, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1725, conveying S. W. 1/2 Lot No. 949 to Joseph P. Chunglo.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1725, dated January 28, 1999, which was signed by the Commissioner and two Associate Commissioners.
2. Report of Messrs. McGinn and Kane, January 19, requesting approval of an extension of time from February 6, 1999 to May 30, 1999, on Contract No. WM95-011-C1A, with Tasco Construction, Inc., for Restoration of the Downstream Areas, Goodnough Dike, Ware, due to the need to evaluate grass growth.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from February 6, 1999 to May 30, 1999, as requested by Messrs. McGinn and Kane, in their report of January 19, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following Various Matter:

3. Report of Mrs. Overton Bussell, January 22, requesting approval of a pilot program with the Friends of Kelly Rink to provide skate rentals and prepackaged snacks for the new temporary Kelly Rink, for the remainder of the 1998-1999 skating season, with a permit fee of \$1.00.
Mrs. Overton Bussell further requests that Commissioner Balfour be authorized to execute the permit on behalf of the Commission. On a motion by Associate commissioner Carr, the Commission V O T E D: approval, as requested by Deputy Commissioner Overton Bussell, of the pilot program subject to receipt, review and approval by appropriate staff of proposed fees to be charged by Friends of Kelly Rink for skate rentals, skate sharpening and prepackaged snacks.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the permit on behalf of the Commission.

Adjourned at 9:45 a.m., to meet on Thursday, February 4, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Eightieth (3880th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 4, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on January 21, 1999 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P98-1950-C1A, dated February 4, 1999, with McConnell Enterprises, Inc., for Demolition of Dwelling at Triphammer Woods, Hingham.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Abounaja, January 25, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Orders and a Revision in Quantities, on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Clean-Up at Various MDC Facilities, as follows -

EXTRA WORK ORDERS

Extra Work Order No. 8 \$25,060.80

Remove, transport and properly dispose of highly contaminated lead soil from MDC Schaffer Paper Site, Dorchester.

Extra Work Order No. 9 \$12,650.00

Remove seventeen drums of ferric chloride from above ground storage tanks at the Lower Mystic Lake Aeration Station, Medford and transport and properly dispose of at an approved site facility.

(At no increase in Contract cost at the Extra Work will be offset by unused quantities in Item No. 001-008 - Excavation and Lawful Disposal of Contaminated Soil).

REVISIONS IN QUANTITIES

Item No. 002-001 \$26,000.00

Furnish and install 1000 gallon underground heating oil fuel tank.

(At no increase in Contract cost as the Revision will be offset by unused quantities in Item No. 001-008 - Excavation and Lawful Disposal of Contaminated Soil).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Orders and a Revision in Quantities on Contract No. P95-1789-C3A.

The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of \$25,060.80.

The Commission further V O T E D: to approve Extra work Order No. 9, in the amount of \$12,650.00.

The Commission further V O T E D: to approve the Revisions in Quantities on Item No. 002-001, in the amount of \$26,000.00.

Report of Messrs. Faucher and Martinez, January 13, requesting approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Orders, on Contract No. P99-1972-C1A, with T Ford Company, Inc., for Utilities Connection for the Temporary Outdoor Peter J. Kelly Ice Skating Rink, Jamaica Plain, as follows -

Extra Work Order No. 1 \$ 9,739.06

Upgrade New Power Service from 800 amp
to 1200 amp

Extra Work Order No. 2 \$ 2,555.97

Change Chain Link Fence from Galvanized
to a Black Vinyl Coated Fence and Add Two
Sections of 8' High Chain Link Fence

Extra Work Order 3 \$19,902.32

Install New Oil and Grease Trap

Total = \$32,197.35

Account No. 2440-9812.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Orders, on Contract No. P99-1972-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$9,739.06.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$2,555.97.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$19,902.32.

2. Report of Messrs. Faucher, Brooks and Mayhew, January 28, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P99-1973-C1A, for Replacement of the Existing Roof System at the Hall Pool, Stoneham.

Estimated Cost - \$110,000.00.

Time for Performance - sixty days after Notice to Proceed is issued.

Account No. 2440-9800.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P99-1973-C1A, for Replacement of the Existing Roof System at the Hall Pool, Stoneham.

3. Report of Messrs. Faucher, Brooks and Mayhew, January 29, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P99-1982-C1A, for Rehabilitation of the Hall Pool Bathhouse, Stoneham.

Estimated Cost - \$200,000.00.

Time for Performance - seven months after Notice to Proceed is issued.

Account No. 2440-9800.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P99-1982-C1A, for Rehabilitation of the Hall Pool Bathhouse, Stoneham.

4. Report of Messrs. Faucher, Brooks and Mayhew, January 28,

submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P99-1990-C1A, to Waterblast and Paint Pools: Watertown, Roxbury and McCrehan Pool, Cambridge.

Estimated Cost - \$190,000.00.

Time for Performance - twelve weeks after Notice to Proceed is issued.

Account No. 2440-9800.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P99-1990-C1A, to Waterblast and Paint Pools: Watertown, Roxbury and McCrehan Pool, Cambridge.

1. Report of Messrs. Faucher, Brooks and Abounaja, January 28, recommending approval and execution of Amendment No. 5, for Task 21 - Implement 1998 Supplemental Phase II Scope of Work; Task 22 - Prepare Revised Phase II Report and Task 23 - Prepare Revised Phase III Report on Contract No. P95-1768-D2A, with Camp Dresser and McKee, Inc., for Licensed Site Professional (L.S.P.) Services for Various MDC Facilities, at a total cost of \$114,721.00.

Account No. 2490-8910.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment No. 5, dated February 4, 1999, to Contract No. P95-1768-D2A, with Camp Dresser and McKee, Inc., which was signed by the Commissioner and four Associate Commissioners.

2. Report of Messrs. Faucher, Brooks and Martinez, January 28, recommending approval of an extension of time from January 22, 1999 to February 19, 1999, on Contract No. P99-1972-C1A, with T Ford Company, Inc., for Utilities Connection for the Temporary Outdoor Peter J. Kelly Skating Rink, due to delivery time and installation of trailers, Zamboni garage and chiller unit, which are separate Contracts.

(At no increase in Contract cost).

The Commission V O T E D: to approve an extension of time from January 22, 1999 to February 19, 1999, on Contract No.

P99-1972-C1A, as recommended by Messrs. Faucher, Brooks and Martinez, in their report of January 28, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Brooks, February 1, requesting that the Commission Amend its vote of January 28, 1999, by changing the completion date, from December 22, 1998 to August 15, 1998, on Contract No. P97-1914-C3A, with A.B.C. Contractors, Inc., for Rehabilitation of the Waiting Room, Hull.

The Commission V O T E D: to Amend its vote of January 28, 1999, by changing the completion date, from December 22, 1998 to August 15, 1998, on Contract No. P97-1914-C3A, with A.B.C. Contractors, Inc., for Rehabilitation of the Waiting Room, Hull, as requested by Messrs. Faucher and Brooks, in their report of February 1, 1999.

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Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Mr. Pula, January 28, submitting for Commission approval season and fee schedule for the 1999 fishing season at Quabbin Reservoir.
Associate Commissioner Wu noted that there has been no increase in the fee schedule for fishing at Quabbin Reservoir since the 1989 season.
He then stated that when a resource is not properly charged for, it is abused and exploited.
The Commission V O T E D: to approve the season and fee schedule for the 1999 fishing season at Quabbin Reservoir, as follows,
Associate Commissioner Wu voted opposed to this action of the Commission -

A. FISHING SEASON DATES

The season, weather permitting, for boat and shore fishing will be as follows:

- Boat Launch Area #1 (Gate 8), Boat Launch Area #2 (Gate 31), and Boat Launch Area #3 (Gate 43) will open on Saturday, April 10, and close on Saturday, October 9, 1999.

B. DAYS OPEN

All three Boat Launch Areas will be open seven days per week and a limited number of boats and motors will be available for rental at each area.

C. OPENING HOURS

-April 10 - 5:00 A.M. (due to large crowds on first weekend)
-April 11 - October 9: 6:00 A.M.

D. CLOSING HOURS - BOATS OFF WATER

-April 10 - April 18 - 6:00 P.M.
-April 19 - September 6 - 7:00 P.M.
-September 7 - September 12 - 6:30 P.M.
-September 13 - September 26 - 6:00 P.M.
-September 27 - October 9 - 5:30 P.M.

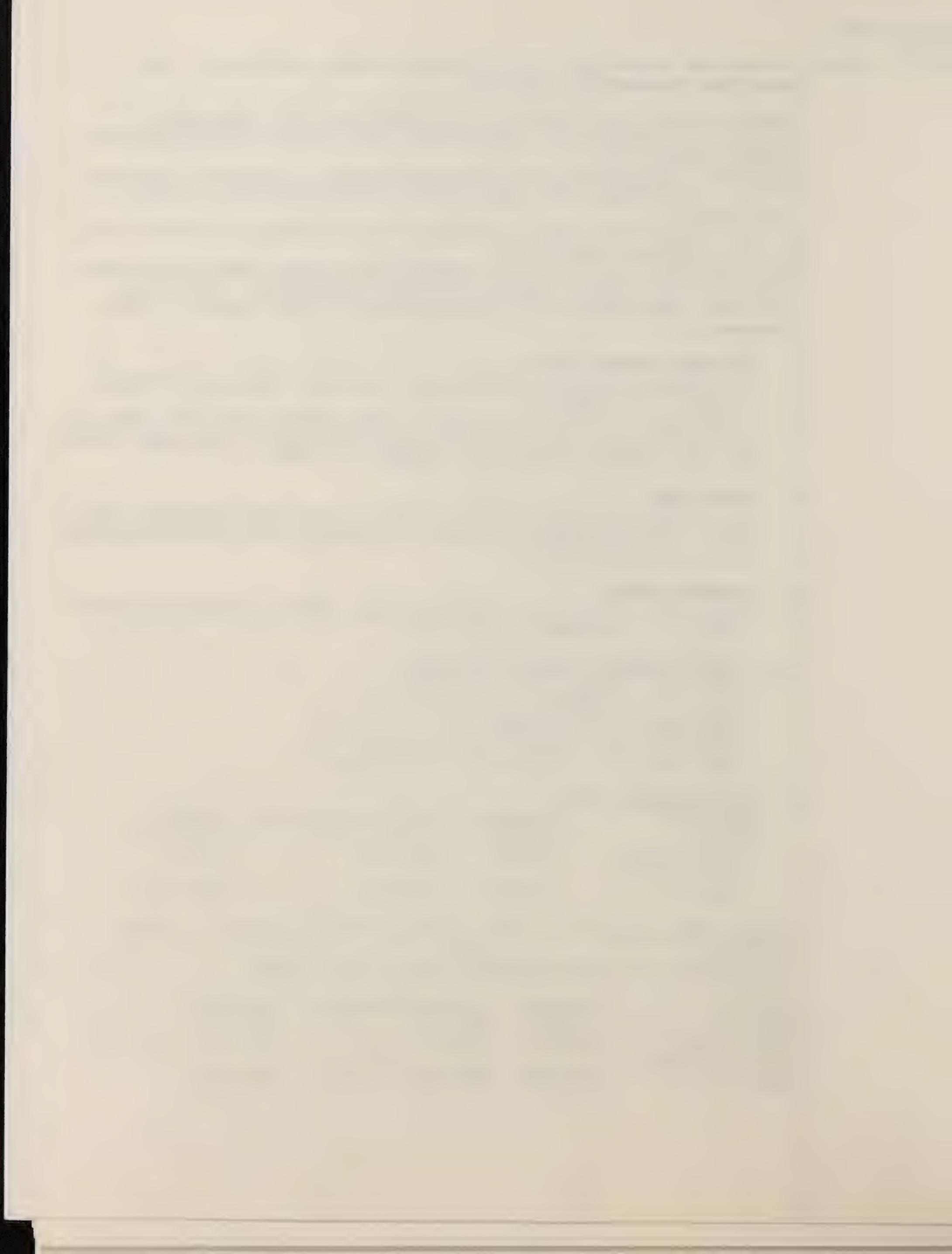
E. BOAT RENTAL RATES

| <u>Rentals</u> | <u>Minimum</u> | <u>Maximum (8+ hrs.)</u> | <u>Deposit</u> |
|-------------------------------|----------------|--------------------------|----------------|
| Boat | \$ 2.00 | \$ 7.00 | \$ 7.00 |
| Motor (inc. 3 gallons gas) | \$ 8.00 | \$20.00 | \$20.00 |
| Total | \$10.00 | \$27.00 | \$27.00 |

Senior Citizens (65 or older) Monday through Friday - except Holidays.

Handicapped Citizens pay half price at all times.

| <u>Rentals</u> | <u>Minimum</u> | <u>Maximum (8+hrs.)</u> | <u>Deposit</u> |
|-------------------------------|----------------|-------------------------|----------------|
| Boat | \$ 1.00 | \$ 3.50 | \$ 3.50 |
| Motor (inc. 3 gallons gas) | \$ 4.00 | \$10.00 | \$10.00 |
| Total | \$ 5.00 | \$13.50 | \$13.50 |



F. PARKING/LAUNCHING FEES

Parking: Per Vehicle \$4.00
Senior Citizens/ \$2.00
Handicapped Citizen

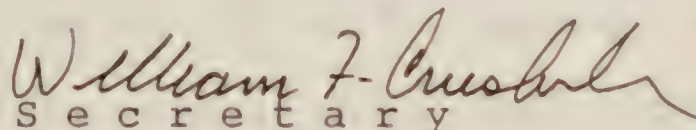
Private Boat Launching: Per Person \$2.00
Senior Citizen/ \$1.00.
Handicapped Citizen

Action was taken upon the following Various Matter:

1. Report of Mrs. O'Brien, February 1, submitting for review and approval Permit-Agreement with Boston Duck Tours, LP, for the Operation of an Amphibious Tour Program in the Charles River. Mrs. O'Brien further requests authorization for Secretary Chisholm to execute the Permit-Agreement on behalf of the Commission.

The Commission V O T E D: Held Over.

Adjourned at 9:20 a.m., to meet on Thursday, February 11, 1999,
at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Eighty First (3881st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 11, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, and Elkort.

The Records of the Commission Meeting held on January 28, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, January 21, recommending approval of Extra Work Order No. 9, for repairs to the existing stairs from southeast corner of Revere Landing Park to the North Washington Street Bridge, at a cost of \$1,442.00, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park. (At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 002-213 - Removal of Wood Piling).
The Commission V O T E D: to approve Extra Work Order No. 9, in the amount of \$1,442.00.
2. Report of Messrs. Faucher and DiPietro, February 1, requesting that the Commission rescind its vote of January 8, 1998 approving Amendment No. 1, to Contract No. P87-1449-M6B, with G & L Laboratory, for Analytical Services for Water Quality Testing at MDC Facilities, to include water quality analyses for stormwater outfalls discharging into the Charles River - which increased the contract's upset limit by \$20,000.00 (\$10,000.00 FY98 and FY99).
The Commission V O T E D: to rescind its vote of January 8, 1998 approving Amendment No. 1, to Contract No. P87-1449-M6B, with G & L Laboratory, for Analytical Services for Water Quality Testing at MDC Facilities, to include water quality analyses for stormwater outfalls discharging into the Charles River - which increased the contract's upset limit by \$20,000.00 (\$10,000.00 FY98 and FY99).
3. Report of Messrs. Faucher and Sacco, February 4, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-1999-C1A, for Renovation of Hormel Stadium Bleacher Stands, Medford.
Estimated Cost - \$230,000.00.
Time for Performance - three months.
Account No. 2495-9968.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-1999-C1A, for Renovation of Hormel Stadium Bleacher Stands, Medford.
4. Report of Messrs. Faucher, Brooks and Balicki, February 4, submitting for approval Project Summary, Project Justification,

Work Schedule and requesting authorization to advertise Project No. P99-1998-C1A, for New Potable Water Line, Latta Pool, Somerville.

Estimated Cost - \$75,000.00.

Time for Performance - three weeks.

Account No. 2440-8885.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P99-1998-C1A, for New Potable Water Line, Latta Pool, Somerville.

1. Report of Messrs. Faucher, Brooks and Balicki, February 4, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P99-1997-C1A, for Repairs and Improvements to Swimming Pools. Estimated Cost - \$277,000.00. Contract Ending - September 30, 1999. Account No. 2440-8885. The Commission V O T E D: Approved. The Commission further V O T E D: authorization to advertise Project No. P99-1997-C1A, for Repairs and Improvements to Swimming Pools.
2. Report of Messrs. Faucher and Brooks, February 5, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P99-1996-M1A, for Service and Repairs to all MDC Swimming Pools and Filtration Systems within the Metro Parks System. Estimated Cost - \$632,800.00. Time for Performance - twenty four months. Funding from Account No. 2440-0010-NN - Funding for FY2000 and 2001 contingent upon sufficient funds being made available through the annual budgetary appropriation. The Commission V O T E D: Approved. The Commission further V O T E D: authorization to advertise Project No. P99-1996-M1A, for Service and Repairs to all MDC Swimming Pools and Filtration Systems within the Metro Parks System.
3. Report of Mr. Faucher and Mrs. Graves Jones, February 8, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P99-1991-M1A, for Installation of Reflectorized Pavement Markings on the Parkways and Roadways of the MDC. Estimated Cost - \$300,000.00. Time for Performance - twenty four months. Account No. 2490-0017. The Commission V O T E D: Approved. The Commission further V O T E D: authorization to advertise Project No. P99-1991-M1A, for Installation of Reflectorized Pavement Markings on the Parkways and Roadways of the MDC.
4. Report of Messrs. Faucher and Machado, February 3, requesting approval of revisions in quantities on Contract No.

P97-1920-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area, as follows -

| | |
|------------------|-------------|
| Item No. 002-010 | \$15,960.00 |
|------------------|-------------|

0" - 4" Cold Planing

| | |
|------------------|-------------|
| Item No. 010-020 | \$ 2,500.00 |
|------------------|-------------|

Curbing or Edging Remove and Dispose

| | |
|------------------|-------------|
| Item No. 011-010 | \$41,600.00 |
|------------------|-------------|

Granite Edgestone Type VA 4-6"x18" Straight

| | |
|------------------|-------------|
| Item No. 021-010 | \$20,000.00 |
|------------------|-------------|

Traffic Control Services

| | |
|------------------|-----------|
| Item No. 032-010 | \$ 600.00 |
|------------------|-----------|

Grading, Liming, Fertilizing and Seeding

Total - \$80,660.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 019-010, 022-010, 029-010, 030-010, 036-010, 040-010, 044-010, 045-010 and 047-010).

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Jackson, January 27, requesting authorization to readvertise and change source of funding for Contract No. P97-1871-C2B, for Artesani Playground Comfort Station in Brighton. When the project was advertised in June of 1998, the only bid received was twice the Engineer's estimate and, therefore, was rejected.
Estimated Cost - \$242,650.00.
Time for Performance - six months.
New Account No. 2440-9800.
The Commission V O T E D: authorization to readvertise and change source of funding for Contract No. P97-1871-C2B, for Artesani Playground Comfort Station in Brighton, as requested by Messrs. Faucher and Jackson in their report of January 27, 1999.

Action was taken upon the following Various Matters:

2. Report of Mrs. O'Brien, February 11, submitting for review and approval Permit-Agreement with Boston Duck Tours, LP, for the Operation of an Amphibious Tour Program in the Charles River. Mrs. O'Brien further requests authorization for Secretary Chisholm to execute the Permit-Agreement on behalf of the Commission.
The Commission V O T E D: Held Over.

3. Report of Messrs. Jewett and Kelter, February 5, submitting for approval and execution Service Contract with the Charles River Watershed Association, for testing of fecal coliform levels in the Charles River and the posting of warning flags to indicate unsafe levels of contamination.
Cost - \$10,000.00.
Time for Performance - completion no later than June 30, 1999.
Authorized by Chapter 194 of the Acts of 1998, Section 2, Line Item 2440-0010.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Service Contract,

dated February 11, 1999, with the Charles River Watershed Association, which was signed by the Commissioner and two Associate Commissioners.

1. Report of Mr. Jewett, February 5, requesting that the Commission exercise its option and purchase modular buildings furnished by Pope Building Systems, Inc., under Contract No. PL98-050-X1A, located at Central Services, Cambridge.
Cost - \$98,580.00 for the Administration Building and \$67,660.00 for the Maintenance Building.
Total Cost - \$162,240.00.
Account No. 2440-0003.
Mr. Jewett further requests that the Commission execute the Purchase and Sales Agreement.
The Commission V O T E D: to exercise its option and purchase modular buildings furnished by Pope Building Systems, Inc., under Contract No. PL98-050-X1A, located at Central Services, Cambridge.
The Secretary then submitted for signature Purchase and Sales Agreement, dated February 11, 1999, with Pope Building Systems, Inc., under Contract No. PL98-050-X1A, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:
2. Report of Mr. Gray, February 13, regarding disposition of a certain parcel of MDC park land located in the City of Quincy.
The Commission V O T E D: to declare surplus and transfer in accordance with the provisions of Chapter 536 of the Acts of 1992, a permanent easement in, over and across that certain parcel of land located in the City of Quincy and containing approximately 4 acres, to the United States of America, acting by and through its Department of the Interior, National Park Service, for open space and scenic purposes, subject to: the requirements of said Act; the provisions of the EOEA Article 97 Land Disposition Policy; and the express inclusion of the legal description agreed upon by and between the National Park Service and the MDC Real Property Office, and reference to the plan of land entitled 'Easement Plan of Land at the Adams Historical Site, Quincy (Norfolk Co.) MA,' prepared by Ainsworth Associates, Inc., dated September 12, 1997, and revised January 8, 1999, in any grant of easement of other such instrument of conveyance from the Commonwealth.
3. Report of Mr. Gray, February 13, regarding disposition of a certain parcel of MDC park land located in the City of Boston.
The Commission V O T E D: to declare surplus and transfer in accordance with the provisions of Chapter 74 of Acts of 1998, that certain parcel of land located in the City of Boston and containing approximately 10.036 acres, to the Forest Hills Cemetery Association for cemetery purposes, subject to the requirements of said Act, the provisions of the EOEA Article 97 Land Disposition Policy, and the following conditions to be set forth within the deed or deeds conveying said parcel:

1. That the Forest Hills Cemetery Association, its successors and assigns, preserve in perpetuity a thirty-foot (30') wide natural buffer zone at the property line separating the above parcel from the land remaining under the care and control of the Metropolitan District Commission;
2. That the Forest Hills Cemetery Association submit a plan to the Metropolitan District Commission for its review and approval prior to disposition, for planting and maintenance of this natural buffer zone;
3. That the Forest Hills Cemetery Association, its successors and assigns, preserve in perpetuity the balancing puddingstone boulder on said parcel as a regionally significant geologic formation, and set aside a twenty-foot (20') wide buffer zone so that said boulder might be maintained in its natural condition; and
4. That the Forest Hills Cemetery Association install immediately upon transfer of said parcel, a wrought iron fence of similar design to that fencing which surrounds the adjacent cemetery property.

Adjourned at 9:40 a.m., to meet on Thursday, February 18, 1999,
at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Eighty Second (3882nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 18, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on February 4, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Abounaja, February 8, recommending approval of Extra Work Order No. 10, to remove, transport and properly dispose of 90 tons of highly contaminated lead soil from the former MDC Central Service Facility in Cambridge, at a negotiated cost of \$240.00 per ton, for a total cost of \$21,600.00, on Contract No. P95-1789-C3A, with Zenone Inc., for Contaminated Site Clean Up at Various MDC Facilities. (No additional funding is required as there are sufficient unused quantities in Item No. 001-008 - Excavation and Lawful Disposal of Contaminated Soil, to offset the cost).
The Commission V O T E D: to approve Extra Work Order No. 10, in the amount of \$21,600.00.
2. Report of Messrs. Faucher, Brooks and Abounaja, February 11, recommending approval of Extra Work Order No. 11, to remove, transport and properly dispose of 1000 gallon above ground storage tank (A.S.T.) from MDC Dilboy Stadium in Somerville and another 1000 gallon (A.S.T.) from the former MDC Field Office in Auburndale, at a negotiated cost of \$2,500.00 per tank, for a total cost of \$5,000.00, on Contract No. P95-1789-C3A, with Zenone Inc., for Contaminated Site Clean Up at Various MDC Facilities.
(No additional funding is required as there are sufficient unused quantities in Item No. 001-008 - Excavation and Lawful Disposal of Contaminated Soil, to offset the cost).
The Commission V O T E D: to approve Extra Work Order No. 11, in the amount of \$5,000.00.
3. Report of Messrs. Faucher and Lenhardt, February 11, recommending approval of an extension of time from January 29, to February 28, 1999, on Contract No. P98-1962-C1A, with Coviello Electric & General Contracting Co., Inc., for Rehabilitation of Electric Motors, Beades Drawbridge, Boston.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from January 29, to February 28, 1999, as recommended by Messrs. Faucher and Lenhardt, in their report of February 11, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
4. Report of Mrs. Overton Bussell, and Messrs. Faucher and Orfant,

February 8, requesting approval of Contract No. P99-1994-S1A, for Study Services to Assist in the Design of the Neponset Marsh Restoration Project, with Teal Ltd., in the lump sum amount of \$1,000.00.

They further request authorization for Commissioner Balfour to execute the contract on behalf of the Commission.

Funds are available in Account No. 2440-8956.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the contract on behalf of the Commission.

1. Report of Mr. Faucher, February 1, requesting approval of Amendment No. 1, for an extension of time from June 30, 1999 to December 31, 1999, and an increase in the upset limit by \$30,000.00 (FY2000) to \$110,000, on Contract No. P87-1449-M5A, for Analytical and Water Quality Testing at MDC Facilities, with G & L Laboratories.
Funding in Account No. 2440-0010 subject to the annual budgetary appropriation.
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher and Mayhew, January 26, recommending the following on Contract No. P98-1949-C1A, with McConnell Enterprises, Inc., to Remove and Dispose of Metal Shed and Compressor Building at Mystic Lakes, Medford -
 - (a) That work be accepted as completed as of December 22, 1998.
 - (b) That Estimate No. 2 (Final), in the amount of \$664.52, be approved for payment.
 - (c) That reserve, in the amount of \$699.50, be approved for payment.
 - (Basis of Award - \$13,990.00)
 - (Amount to Date - \$13,990.00)
 - (Contract Performance Rating - 79 with 100 being excellent)
 - (EEO Compliance - 3.60)

The Commission V O T E D: that the work of McConnell Enterprises, Inc., Contractor under Contract No. P98-1949-C1A, be and hereby is accepted as completed as of December 22, 1998.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$664.52, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$699.50, for payment.
3. Report of Messrs. Faucher and Jackson and Mrs. Overton Bussell, February 4, recommending approval of Amendment No. 2, to Contract No. P95-1784-D1A, with Carol R. Johnson Associates, Inc., for Design Services for Rehabilitation of South Boston Beaches, as follows -
An extension of time from June 30, 1999 to June 30, 2000 - for design services.
An extension of time from June 30, 1999 to June 30, 2000 - for construction phase services.
An increase in funding in the sum of \$33,650.00.
Account No. 2440-8956.
The Commission V O T E D: Approved.

1. The first part of the paper discusses the importance of understanding the underlying mechanisms of the observed phenomena. This section provides a comprehensive overview of the current state of research in this field.

2. The second part of the paper focuses on the development of a new theoretical framework. This framework is designed to address the limitations of existing models and provide a more unified understanding of the system.

3. The third part of the paper presents the results of a series of experiments. These experiments were conducted to test the predictions of the new theoretical framework and compare them with the results of previous studies.

4. The fourth part of the paper discusses the implications of the findings. These findings have significant implications for our understanding of the system and may lead to the development of new applications.

5. The fifth part of the paper concludes the paper and provides a summary of the key findings. It also discusses the limitations of the study and suggests directions for future research.

6. The sixth part of the paper provides a detailed discussion of the experimental methods used in the study. This section describes the setup of the experiments and the procedures used to collect and analyze the data.

7. The seventh part of the paper presents a detailed analysis of the experimental results. This section discusses the statistical significance of the findings and compares them with the results of previous studies.

8. The eighth part of the paper discusses the broader context of the research. This section places the findings in the context of the larger field of study and discusses the potential impact of the research.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, February 8, requesting authorization to transfer \$150,000.00 to the Division of Capital Asset Management for the purpose of a study and design of a replacement bathhouse at Constitution Beach, East Boston.
Account No. 2440-8956.
The Commission V O T E D: authorization to transfer \$150,000.00 to the Division of Capital Asset Management for the purpose of a study and design of a replacement bathhouse at Constitution Beach, East Boston, as requested by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of February 8, 1999.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Pula, January 19, on proposals for the purchase of forest products located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the highest qualified bid, that of Heyes Forest Products, of \$4,427.90; to purchase approximately 10,505 board feet of logs on Roadside Sale No. 61 - Quabbin Reservoir Watershed.

3. Report of Messrs. McGinn and Pula, February 2, on proposals for the tapping of sugar maple trees located on the Quabbin Reservoir Watershed.
Associate Commissioner Wu spoke of his concern that the Commission received only one bid for each of the sugar maple lots. Mr. McGinn stated that there was not much interest shown in bidding on the sugar maple lots.
The Commission V O T E D: to accept the only bid received, that of Shattuck Sugar House, of \$271.80; allowing 906 taps of 453 sugar maple trees on Sugar Maple Lot #86 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of \$340.00; allowing 471 taps of 277 sugar maple trees on Sugar Maple Lot #87 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of \$175.00; allowing 557 taps of 287 sugar maple trees on Sugar Maple Lot #88 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Hamilton Orchards, of \$174.00; allowing 404 taps of 171 sugar maple trees on Sugar Maple Lot #89 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of \$185.00; allowing 491 taps of 202 sugar maple trees on Sugar Maple Lot #90 - Quabbin Reservoir Watershed.

4. Report of Messrs. McGinn and Nunes, January 19, on bids for Non-Hazardous Waste Removal Services - Wachusett and Sudbury Sections for Three Fiscal Years.
(Messrs. McGinn and Nunes recommend acceptance of the lowest bid received, that of Waste Management of Central Mass., of \$11,235.36 - for the period of July 1, 1998 through June 30, 2001).
Account No. 2420-1400-JJ-J39.

The Commission V O T E D: to accept the lowest bid received, that of Waste Management of Central Mass., of \$11,235.36 - for the period of July 1, 1998 through June 30, 2001.

1. Report of Mr. McGinn, February 16, submitting for approval Amendment No. 4 to the Wachusett Dual-track Consent Order, dated June 11, 1993, between the Massachusetts Department of Environmental Protection (DEP), Massachusetts Water Resources Authority (MWRA), and the Metropolitan District Commission (MDC), which incorporates revised provisions acknowledging DEP's Revised Determination that, based on MWRA's and MDC's demonstration, they meet or exceed, and can reliably continue to meet all of the regulatory criteria for avoiding filtration, dated December 22, 1998.

Mr. McGinn requests authorization for Commissioner Balfour to execute Amendment No. 4, on behalf of the Commission.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute Amendment No. 4, on behalf of the Commission.

Action was taken upon the following Various Matters:

2. Report of Mrs. O'Brien, February 1, submitting for review and approval Permit-Agreement with Boston Duck Tours, LP, for the Operation of an Amphibious Tour Program in the Charles River. Mrs. O'Brien further requests authorization for Secretary Chisholm to execute the Permit-Agreement on behalf of the Commission.

The Commission V O T E D: Held Over.

3. Report of Mr. Jewett, February 12, recommending approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, four Contracts for Professional Real Estate Title Examination Services, for Fast Track Sewer Project - Holden and West Boylston - Contract No. WM93-001-S1A, as follows -

| <u>NAME</u> | <u>VALUE</u> | <u>PARCELS</u> |
|-------------------------------|--------------|----------------|
| Law Offices of Peter E. Flynn | \$17,000.00 | 68 |
| George S. Norton, Esq. | \$ 3,700.00 | 25 |
| Tamagini & Bloomenthal, P.C. | \$ 4,950.00 | 18 |
| Nancy Mahoney Harris, Esq. | \$ 3,795.00 | 23 |

Account No. 2421-8961.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Contracts with the Law Offices of Peter E. Flynn, George S. Norton, Esq., Tamagini & Bloomenthal, P.C., and Nancy Mahoney Harris, Esq., for Professional Real Estate Title Examination Services, for Fast Track Sewer Project - Holden and West Boylston, Contract No. WM93-001-S1A.

4. Report of Mr. Jewett, February 12, recommending approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, two Contracts for Professional Real Estate Appraisal Services, for Fast Track Sewer Project - Holden and West Boylston -Contract No. WM93-001-S1A, as follows -

| <u>NAME</u> | <u>VALUE</u> | <u>PARCELS</u> |
|-------------------------------|--------------|----------------|
| Peter S. Emerson & Associates | \$79,500.00 | 93 |
| Ellen Harding Anderson | \$29,000.00 | 41 |

Account No. 2421-8961.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Contracts with Peter S. Emerson & Associates and Ellen Harding Anderson, for Professional Real Estate Appraisal Services, for Fast Track Sewer Project - Holden and West Boylston, Contract No. WM93-001-S1A.

1. Report of Mrs. Overton Bussell, February 12, requesting approval of an amendment to the Commission's vote of June 25, 1998, authorizing the expenditure of \$600,000.00, for the Clean State Audit Program, by increasing the funding by \$59,828.18, which will be expended on additional audits and costs associated with Title 5 inspections at MDC facilities.

(Funding from various accounts).

The Commission V O T E D: to amend its vote of June 25, 1998, authorizing the expenditure of \$600,000.00, for the Clean State Audit Program, by increasing the funding by \$59,828.18, which will be expended on additional audits and costs associated with Title 5 inspections at MDC facilities, as requested by Mrs. Overton Bussell in her report of February 12, 1999.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Mr. Gray, February 12, requesting authorization to expend \$170,000.00 within this Fiscal Year on Contract No. RP99-001 - Open Order Contract - Appraisals, Title Examinations, Engineering and Related Services for Watershed Land Acquisition in FY99, for costs related to the preparation of parcels targeted for watershed protection and for all purposes consistent with Sections 6 and 12 of Chapter 36 of the Acts of 1992 (Cohen Bill), as amended, and Sections 2 and 63 of Chapter 15 of the Acts of 1996 (the New Open Space Bond Bill), as amended.

Account Nos. 2421-9936 and 2421-8961.

The Commission V O T E D: authorization to expend \$170,000.00 within this Fiscal Year on Contract No. RP99-001 - Open Order Contract - Appraisals, Title Examinations, Engineering and Related Services for Watershed Land Acquisition in FY99, as requested by Mr. Gray in his report of February 12, 1999.

3. Report of Mr. Gray, February 12, regarding disposition of a certain parcel of land located in the Town of Canton.
The Commission V O T E D: to declare surplus and transfer in accordance with the provisions of Chapter 230 of the Acts of 1998, that certain parcel of land located in the Town of Canton and comprising approximately 404 square meters, or 4,349 square feet (or 0.09 acre), to the Massachusetts Highway Department, subject to the terms and provisions of Chapter 230 of the Acts of

1998, and subject further to the following conditions:

1. That the following mitigation measures be performed by the Massachusetts Highway Department at or near the site:
 - a. a new sign must be installed to replace the sign destroyed during construction;
 - b. the nearby abandoned dwelling and all appurtenant structures must be removed, to the satisfaction of the MDC Division of Reservations and Historic Sites;
 - c. the stone wall impacted by construction must be fully restored;
 - d. natural stone facing must be installed on all concrete retention walls; and
 - e. measures must be taken to naturalize all areas impacted by construction activities.
2. That MDC staff must review and approve the design and construction of the stone wall and any and all other phases of the project which impact Blue Hills Reservation.
3. That the MDC Chief Archaeologist must be consulted prior to any excavation activities.

Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Adjourned at 10:00 a.m., to meet on Thursday, February 25, 1999, at 9:00 a.m.


S e c r e t a r y

The first part of the paper discusses the importance of the study and the objectives of the research. It also mentions the scope of the study and the limitations of the study.

The second part of the paper discusses the methodology used in the study. It mentions the data sources and the data collection methods used in the study.

The third part of the paper discusses the results of the study. It mentions the findings of the study and the conclusions drawn from the study.

The fourth part of the paper discusses the implications of the study. It mentions the practical implications of the study and the theoretical implications of the study.

The fifth part of the paper discusses the conclusion of the study. It mentions the overall findings of the study and the recommendations for future research.

The sixth part of the paper discusses the references used in the study. It mentions the books, journals, and other sources used in the study.

The seventh part of the paper discusses the appendix. It mentions the tables, figures, and other supplementary material used in the study.

The eighth part of the paper discusses the bibliography. It mentions the books, journals, and other sources used in the study.

The ninth part of the paper discusses the index. It mentions the topics and sub-topics covered in the study.

The tenth part of the paper discusses the glossary. It mentions the definitions of the terms used in the study.

The eleventh part of the paper discusses the list of figures. It mentions the figures and tables used in the study.

The twelfth part of the paper discusses the list of tables. It mentions the tables used in the study.

Record of the Three Thousand Eight Hundred and Eighty Third (3883rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 25, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Settles and Wu.

The Records of the Commission Meeting held on February 11, 1999 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Amendment No. 5, dated February 25, 1999, to Contract Agreement No. WM97-061-D1A, with Weston & Sampson Engineers, Inc., for Construction Project #4W and #5W Master Sewer Design Phase II, West Boylston and Holden.
2. Amendment No. 1, to Contract-Agreement No. WM97-061-D3A, with Camp Dresser & McKee, Inc., for Construction Project #1H and #3H, Fast Track Sewer Construction, Pinecroft Area, West Boylston, did not arrive in time for Commission execution. Therefore, the Commission V O T E D: to authorize Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Brooks and Haider, February 19, recommending approval of an extension of time from December 22, 1998 to May 31, 1999, on Contract No. P98-1923-C3A, with ABC Contractors, Inc., for Relocation of Back Flow Preventer, Hull, due to the need to complete work during warm weather. (At no increase in contract cost).
The Commission V O T E D: to approve an extension of time from December 22, 1998 to May 31, 1999, as recommended by Messrs. Faucher, Brooks and Haider in their report of February 19, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
4. Report of Mrs. O'Brien and Messrs. Faucher and Griffin, February 18, recommending approval of the action of Deputy Commissioner Faucher resulting in revisions in quantities on the following items on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park -

| | |
|---------------------------------------|------------------|
| Item No. 009-020 | \$1,436.60 |
| Stonedust Setting Bed | |
| Item No. 020-520 | \$ 655.20 |
| Crocus "Cream Beauty" | |
| Item No. 039-060 | \$ 880.00 |
| Lighting Fixture - Type C | |
| Item No. 039-140 | <u>\$ 275.00</u> |
| Weather Proof Receptacle and Switches | |

Total - \$3,246.80

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the experimental procedures and the statistical analysis performed.

3. The third part of the document presents the results of the study. It includes a series of tables and graphs that illustrate the findings of the research. The data shows a clear trend in the relationship between the variables studied.

4. The fourth part of the document discusses the implications of the findings. It explores the potential applications of the research and the limitations of the study. It also suggests areas for further research and investigation.

5. The fifth part of the document provides a conclusion and a summary of the key findings. It reiterates the importance of the research and the need for continued efforts in this field.

6. The sixth part of the document includes a list of references and a bibliography. It cites the various sources of information used in the study and provides a comprehensive overview of the relevant literature.

7. The seventh part of the document contains a list of appendices and supplementary materials. It includes additional data, figures, and tables that are not included in the main body of the document.

8. The eighth part of the document provides a list of acknowledgments and a list of contributors. It expresses gratitude to the individuals and organizations that supported the research and provided valuable input.

9. The ninth part of the document includes a list of footnotes and a list of references. It provides additional information and clarifications for the reader and lists the sources of the references.

10. The tenth part of the document contains a list of appendices and supplementary materials. It includes additional data, figures, and tables that are not included in the main body of the document.

11. The eleventh part of the document provides a list of acknowledgments and a list of contributors. It expresses gratitude to the individuals and organizations that supported the research and provided valuable input.

12. The twelfth part of the document includes a list of footnotes and a list of references. It provides additional information and clarifications for the reader and lists the sources of the references.

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 007-010, Treated Timber for Wooden Dock and 003-020, Rock Excavation).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Jackson, February 11, on bids for 1999 Parkway Landscape Improvements, Contract No. P92-1628-C8A. (Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of Greenscape Land Design, Inc., of \$282,162.00).
The Commission V O T E D: to accept the lowest bid received, that of Greenscape Land Design, Inc., of \$282,162.00.
2. Report of Messrs. Faucher and Kane, February 17, recommending approval and execution of Amendment No. 1, to Contract No. P93-1693-D1A, with Mark T. Wilhelm, AIA, for Fort Independence, Castle Island, South Boston, Sallyport Entrance Renovation, which extends time of performance from March 1, 1999 to September 1, 2000.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 1, dated February 25, 1999, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Vignaly, February 4, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. WM99-051-S1A, for Hydrodynamic Modeling of Wachusett Reservoir. Maximum Obligation - \$250,000.00.
Time for Performance - estimated at eighteen months.
Account No. 2420-1400-sub HH.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM99-051-S1A, for Hydrodynamic Modeling of Wachusett Reservoir.
4. Report of Messrs. McGinn and Pula, February 16, on proposals for the tapping of sugar maple tress located on the Quabbin Reservoir Watershed.
Once Again, Associate Commissioner Wu spoke of his concern that the Commission received only one bid for each of the sugar maple lots.
The Commission V O T E D: to accept the only bid received, that of Hamilton Orchards, of \$180.60; allowing 420 taps on 312 sugar maple trees on Sugar Maple Lot #91 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of \$108.00; allowing 235 taps of on 175 sugar maple trees on Sugar Maple Lot #92 - Quabbin Reservoir Watershed"
5. Report of Messrs. McGinn and Broderick, February 24, submitting

for approval and requesting authorization for Commissioner Balfour to execute on behalf of the Commission, Spot Pond Land Management Agreement between the MDC and MWRA.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Spot Pond Land Management Agreement between the MDC and MWRA.

Action was taken upon the following Various Matters:

1. Report of Mrs. O'Brien, February 1, submitting for review and approval Permit-Agreement with Boston Duck Tours, LP, for the Operation of an Amphibious Tour Program in the Charles River. Mrs. O'Brien further requests authorization for Secretary Chisholm to execute the Permit-Agreement on behalf of the Commission.
The Commission V O T E D: Held Over.
2. Report of Mrs. Overton Bussell and Mr. Traficante, February 16, requesting approval and execution of Amendment No. 4, for an extension of time from February 28, 1999 to June 30, 1999, on Contract No. P95-1766-X1A, with Covino Environmental Associates, Inc., for Industrial Hygiene Services, due to need to complete anticipated inspection and monitoring of MDC facilities abatement jobs and to complete other work included in contract.
(At no additional contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 4, dated February 25, 1999, to Contract No. P95-1766-X1A, with Covino Environmental Associates, Inc., which was signed by the Commissioner and three Associate Commissioners.
3. Report of Mr. Jewett, February 18, on behalf of a Consultant Selection Committee, requesting approval of the selection of GZA GeoEnvironmental, Inc., for Contract No. WM99-002-X2A, for Safety Evaluation, Blue Hills Reservoir Dam, Quincy.
Compensation - not-to-exceed \$42,900.00 - subject to negotiations.
Time for Performance - four months.
Account No. 2420-1400.
The Commission V O T E D: to approve the selection of GZA GeoEnvironmental, Inc., for Contract No. WM99-002-X2A, for Safety Evaluation, Blue Hills Reservoir Dam, Quincy.
4. Report of Mr. Jewett, February 18, requesting approval of Contract No. WM99-079-X3A, for Wachusett Watershed Technical Assistance Program, with Nashua River Watershed Association -
Compensation - not-to-exceed \$25,000.00.
Time for Performance - twelve months with two one-year renewals at the option and authorization of the Commission.
Account No. 2420-1400.
The Commission V O T E D: Approved.
5. Report of Mrs. Davidge, January 25, requesting approval and

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execution of Amendment 1, to Contract with Santa Theresa Tile Works, owned and managed by Susan T. Gamble, to prepare bench backs and walls for tile by applying a mortar bed - at an additional cost of \$8,000.00, on Contract No. P98-053-X1A - New Charles River Basin - Installation of Art Work at Paul Revere Park.

Account No. 2449-6033.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment No. 1, dated February 25, 1999, to Contract No. P98-053-X1A, with Santa Theresa Tile Works, owned and managed by Susan T. Gamble, which was signed by the Commissioner and three Associate Commissioners.

Adjourned at 10:05 a.m., to meet on Thursday, March 4, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Eighty Fourth (3884th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 4, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on February 18, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and Mayhew, February 23, submitting for approval Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P99-1993-C1A, for Porcelain Enamel Roof Repair at Charles River Dam, Boston.
Estimated Cost - \$54,000.00.
Time for Performance - completion scheduled for forty five days after notice to proceed.
Account No. 2440-2503.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-1993-C1A, for Porcelain Enamel Roof Repair at Charles River Dam, Boston.
2. Report of Messrs. Faucher and Lenhardt, February 22, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-1992-C1A, for Remedial Repairs to Beades Drawbridge, Boston.
Estimated Cost - \$170,000.00.
Time for Performance - four months.
Account No. 2440-2503.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-1992-C1A, for Remedial Repairs to Beades Drawbridge, Boston.
3. Report of Messrs. Faucher and Jackson, February 18, requesting approval of revisions in quantities on the following items on Contract No. P95-1784-C3A, with McCourt Construction Company, for Rehabilitation of South Boston Beaches - Phase 2 -

| | |
|--|---------------|
| Item No. 026-007 - Ductile Iron Pipe | - \$ 3,954.00 |
| Item No. 022-005 - Unclassified Excavation | - \$18,900.00 |
| Total Cost | - \$22,854.00 |

Account No. 2440-8956.
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher and Jackson, February 18, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Orders on Contract No. P95-1784-C3A, with McCourt Construction Company, for Rehabilitation of South Boston Beaches - Phase 2, as follows -

The first part of the paper discusses the importance of maintaining accurate records of all transactions. It is essential for the business to have a clear and concise record of all income and expenses. This will allow the business to track its financial performance over time and identify areas where it may be able to reduce costs or increase revenue.

The second part of the paper discusses the importance of maintaining accurate records of all assets and liabilities. This will allow the business to track its net worth over time and identify areas where it may be able to increase its assets or reduce its liabilities.

The third part of the paper discusses the importance of maintaining accurate records of all taxes paid. This will allow the business to track its tax liability over time and identify areas where it may be able to reduce its tax liability.

The fourth part of the paper discusses the importance of maintaining accurate records of all debts. This will allow the business to track its debt over time and identify areas where it may be able to reduce its debt.

The fifth part of the paper discusses the importance of maintaining accurate records of all investments. This will allow the business to track its investment performance over time and identify areas where it may be able to increase its investment returns.

The sixth part of the paper discusses the importance of maintaining accurate records of all other financial transactions. This will allow the business to track its overall financial performance over time and identify areas where it may be able to improve its financial health.

| | |
|--|--------------------|
| Extra Work Order No. 1 | \$16,380.00 |
| Additional Lighting at Fitzgerald Circle | |
| Extra Work Order No. 2 | \$24,007.63 |
| Additional Excavation and Fittings | |
| Extra Work Order No. 3 | \$40,004.38 |
| Replacement of Water Line | |
| Extra Work Order No. 4 | <u>\$16,855.10</u> |
| Demolition of Reinforced Concrete at Two Locations | |

Total Cost - \$97,247.11

Account No. 2440-8956.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Orders on Contract No. P95-1784-C3A.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$16,380.00.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$24,007.63.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$40,004.38.

The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$16,855.10.

1. Report of Messrs. Faucher and Jackson, February 18, requesting approval of the following Alterations on Contract No. P95-1784-C3A, with McCourt Construction Company, for Rehabilitation of South Boston Beaches - Phase 2 -

| | |
|------------------|-----------|
| Alteration No. 1 | \$ 871.15 |
|------------------|-----------|

Change Finish on Five Drinking Fountains to Stainless Steel

| | |
|------------------|------------------|
| Alteration No. 2 | <u>\$ 348.44</u> |
|------------------|------------------|

Change Four Valves at Foot Showers to Slow Release Valves

Total - \$1,219.59

Account No. 2440-8956.

The Commission V O T E D: to approve Alteration No. 1, in the amount of \$871.15.

The Commission further V O T E D: to approve Alteration No. 2, in the amount of \$348.44.

2. Report of Messrs. Faucher and Jackson, February 18, requesting approval of Alteration No. 3 - for changing the unit cost and the estimated quantity on Item No. 030-001 - Carson Beach Seawall - at an increase of \$161,194.80, on Contract No. P95-1784-C3A, with McCourt Construction Company, for Rehabilitation of South Boston Beaches - Phase 2.

Account No. 2440-8956.

The Commission V O T E D: to approve Alteration No. 3, in the amount of \$161,194.80, as requested by Messrs. Faucher and Jackson in their report of February 18, 1999.

3. Report of Messrs. Faucher and Lenhardt, February 22, recommending that the Commission change the source of funding for Contract No. P98-1962-C1A, for Rehabilitation of Electric Motors, Beades Drawbridge, Boston, as approved by the Commission at the meeting

of April 16, 1998, from Account No. 2490-8911 to Account No. 2440-2503.

The Commission V O T E D: to approve a change in the source of funding for Contract No. P98-1962-C1A, from Account No. 2490-8911 to Account No. 2440-2503, as recommended by Messrs. Faucher and Lenhardt in their report of February 22, 1999.

1. Report of Messrs. Faucher, Brooks and Abounaja, February 22, recommending approval and execution of Amendment No. 3, to Contract No. P95-1768-D1A, with Gale Associates, Inc., for Licensed Site Professional Services for Various MDC Facilities, as follows -
 1. MDC Daly Rink in Brighton: Gale Associates will prepare TIER Classification for this site and submit to the DEP.
 2. MDC Facilities at 7 Brush Hill Road in Milton: Gale Associates will prepare TIER Classification for this site and submit to the DEP.
 3. MDC Facilities at 1420 Soldiers Field Road, in Brighton: Gale Associates will prepare Response Action Outcome (RAO) and Activity and Use Limitation (AUL) for this site and submit to the DEP.
 4. MDC Brighton, Allston Pool: Gale Associates will prepare Release Abatement Measure (RAM) plan, Response Action Outcome (RAO), Activity and Use Limitation (AUL) and Phase II Report and submit to the DEP.
 5. MDC Boat House in Somerville: Gale Associates will prepare AUL, RAO and Phase II Report and submit to the DEP.
 6. MDC Facilities at 1610 Soldiers Field Road, in Brighton: Gale Associates will prepare TIER Classification and Phase I Report for this site and submit to the DEP.
 7. MDC Facilities at 475 Neponset Ave., in Dorchester: Gale Associates will prepare TIER Classification and Phase I Report for this site and submit to the DEP.
 8. MDC Facilities at 1603 River Street in Hyde Park: Gale Associates will prepare TIER Classification and Phase I Report for this site and submit to the DEP.
 9. State Police Facilities at Wellington Circle in Medford: Gale Associates will prepare TIER Classification and Phase I Report for this site and submit to the DEP.

Total Cost - \$70,000.00.

Account No. 2490-8910.

The Commission V O T E D: Approved as recommended by Messrs. Faucher, Brooks and Abounaja, in their report of February 22, 1999.

The Amendment did not arrive in time for Commission execution.

2. Report of Messrs. Faucher, DiPietro and Galvin, February 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise for engineering services Project No. P99-1995-D1A, for Evaluation and Modification of Exhaust Stacks, Charles River Dam, Boston.
Estimated cost - \$45,000.00.

Account No. 2440-2503.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise for

engineering services Project No. P99-1995-D1A, for Evaluation and Modification of Exhaust Stacks, Charles River Dam, Boston.

Report of Messrs. Faucher, Brooks and Kane, February 24, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-1984-C1A, for Window Replacement and Associated Repairs; MDC Headquarters; Boston.

Estimated Cost - \$400,000.00.

Time for Performance - eight months.

Account No. 2440-2503.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P99-1984-C1A, for Window Replacement and Associated Repairs; MDC Headquarters; Boston.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Mr. McGinn, February 23, requesting approval of an extension of time from September 30, 1998 to March 31, 1999, on Contract No. WM98-089-S1A, with United States Geological Survey, for the Investigation of the Effects of Wetlands on Water Quality in Quabbin Reservoir, due to administrative delays.
(At no increase in contract cost).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

3. Report of Mrs. O'Brien, February 1, submitting for review and approval Permit-Agreement with Boston Duck Tours, LP, for the Operation of an Amphibious Tour Program in the Charles River. Mrs. O'Brien further requests authorization for Secretary Chisholm to execute the Permit-Agreement on behalf of the Commission.
The Commission V O T E D: Held Over.
4. Report of the Concession Selection Committee, February 22, recommending that the payment schedule of James Freeman of Family Affairs Catering, Inc., MDC food service concessionaire at Ponkapoag Golf Course, be changed from a twelve month payment schedule to a six month payment schedule for the remaining four years of his permit, as follows -
1999 season - \$54,500.00 or 16% of the gross (up to \$250,000.00 and then 17% from \$250,000.00 up) - six equal payments - May through October of \$9,083.34 per month, with percentage if applicable.
2000 season - \$62,750.00 or 21% of the gross revenues, with no limitations - six equal payments - May through October of \$10,458.34 per month, with percentage if applicable.
2001 season - \$62,750.00 or 21% of the gross revenues, with no limitations - six equal payments - May through October of \$10,458.34 per month, with percentage if applicable.

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2002 season - \$62,750.00 or 21% of the gross revenues, with no limitations - six equal payments - May through October of \$10,458.34 per month, with percentage if applicable.

The Commission V O T E D: Approved as recommended by the Concession Selection Committee in their report of February 22, 1999.

Associate Commissioner Elkort did not participate in discussion or vote on this matter.

1.

Report of the Concession Selection Committee, February 22, recommending that the Commission approve a reduction to the 1998 food service permit fee from \$5,000.00 to \$2,500.00 owed to the Commission by Sam Najjar, the concessionaire at Houghton's Pond, due to late opening and other problems not of his making. The Commission V O T E D: Approved as recommended by the Concession selection Committee in their report of February 22, 1999.

2.

Report of Mr. Broderick, March 1, requesting that the Commission designate Lt. John O'Donnell, Commander of the MDC Park Ranger Marine Unit, as the Harbor Master. The Commission V O T E D: to designate Lt. John O'Donnell, Commander of the MDC Park Ranger Marine Unit, as the Harbor Master.

3.

Report of Mrs. Overton Bussell, March 1, requesting authorization to advertise for proposals for a food service concession at the site of the former north garage and a recreational concession at the site of the former south garage at the Edward J. McCormack Bathhouse Facility, 165 William J. Day Boulevard, South Boston. The Commission V O T E D: authorization to advertise for proposals for a food service concession at the site of the former north garage and a recreational concession at the site of the former south garage at the Edward J. McCormack Bathhouse Facility, 165 William J. Day Boulevard, South Boston.

Adjourned at 10:00 a.m., to meet on Friday, March 12, 1999, at 9:00 a.m.

William J. Cunniff
Secretary

Record of the Three Thousand Eight Hundred and Eighty Fifth (3885th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Friday, March 12, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort and Settles.

The Records of the Commission Meeting held on February 25, 1999 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

1. Contract-Agreement No. WM99-002-X2A, dated March 12, 1999, with GZA GeoEnvironmental, Inc., for Safety Evaluation, Blue Hills Reservoir Dam, Quincy.
The Commission then V O T E D: to amend its vote of February 25, 1999, by increasing the approved compensation to \$49,900.00, as a result of scope of service negotiations.
2. Contract No. P98-1953-C1A, dated March 12, 1999, with Jay-Mor Enterprises, Inc., for Demolition of the Magazine Beach Sanitary, Cambridge.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Brooks and Mayhew, March 3, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 1 - for the installation of oil and water separator lines under the floor of the new restrooms, at a total cost of \$4,181.39, on Contract No. PL82-1022-C2A, with T. Cooney Company, for Revere Landing Park. Account No. 2449-6033.
The Commission V O T E D: to approve the action of Deputy Commission Faucher, which resulted in Extra Work Order No. 1, on Contract No. PL82-1022-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$4,181.39.
4. Report of Messrs. Faucher, Brooks and Martinez, March 1, requesting approval of an extension of time from February 19, 1999 to March 10, 1999, on Contract No. P99-1972-C1A, with T. Ford Company, Inc., for Utilities Connection for the Temporary Outdoor Peter J. Kelly Skating Rink, Jamaica Plain.
(At no additional contract cost).
The Commission V O T E D: to approve an extension of time from February 19, 1999 to March 10, 1999, as requested by Messrs. Faucher, Brooks and Martinez, in their report of March 1, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
5. Report of Messrs. Faucher, Brooks and Balicki, March 3, submitting for approval Work Schedule, Project Summary, Project

Justification and requesting authorization to advertise Project No. P99-2000-C1A, for Improvements to Ventilation, Neponset Garage, Dorchester.

Estimated Cost - \$72,000.00.

Time for Performance - sixteen weeks.

Account No. 2490-0017.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P99-2000-C1A, for Improvements to Ventilation, Neponset Garage, Dorchester.

1. Report of Messrs. Faucher and Terzian, March 1, requesting approval of the request of Tasco Construction, Inc., for an extension of time from March 2, 1999 to June 2, 1999, on Contract No. P98-1940-C1A, for Removal/Replacement of Culvert Gates and Sluice Gates at Charles River Locks and Dam, at no increase in cost to the Commission. This extension of time is for administrative purposes only under the provisions of Article XXII and will in no way affect the liquidated damages provisions of Article XXI that may be due the Commission. The extension shall not operate as a waiver on the part of the Commission or in any of its rights under the contract.
The Commission V O T E D: to approve an extension of time, for administrative purposes only, under the provisions of Article XXII, from March 2, 1999 to June 2, 1999, as recommended by Messrs. Faucher and Terzian, in their report of March 1, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provisions of Article XXI, that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of rights under the Contract.
2. Report of Messrs. Faucher and Sacco, February 18, recommending approval of the following on Contract No. P99-1980-E1A, with G.V.W., Inc., for Emergency Structural Repairs, Central Services Garage, Hull - Extra Work Order No. 1 - to regrade and pave the entrance to the garage - at a cost of \$4,400.00 and an extension of time from December 10, 1998 to March 19, 1999.
Funding in the amount of \$2,960.00, from unused quantities in Item No. 3, in the sum of \$2,900.00 will partially offset the extra work and the remaining funding of \$1,440.00 is available under Account No. 2440-2503.
Messrs. Faucher and Sacco further request that the Commission vote of October 29, 1998, be amended to change the funding source from 2490-0017 to 2440-2503.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$4,400.00.
The Commission further V O T E D: to approve an extension of time from December 10, 1998 to March 19, 1999, as recommended by Messrs. Faucher and Sacco in their report of February 18, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

The Commission further V O T E D: to amend its vote of October 29, 1998, by changing the funding source from 2490-0017 to 2440-2503, on Contract No. P99-1980-E1A.

1. Report of Messrs. Faucher and Sacco, March 4, recommending that the Commission reject both bids on Contract No. P99-1999-C1A, for Renovation of Hormel Stadium Bleacher Stands, as the bid of Marr Scaffolding Co., Inc., did not include a DCAM Certificate of Eligibility and the bid of T-Ford Co., Inc., was 73% above the Engineer's estimate.
(Messrs. Faucher and Sacco further request authorization to readvertise the project.
The Commission V O T E D: to reject both bids on Contract No. P99-1999-C1A, for Renovation of Hormel Stadium Bleacher Stands, as recommended by Messrs. Faucher and Sacco, in their report of March 4, 1999.
The Commission further V O T E D: authorization to readvertise the project.
2. Report of Messrs. Faucher and Mayhew, January 21, recommending the following on Contract No. P98-1928-C2A, with MRP Site Development, Inc., for Building Demolition and Site Improvements, Ocean Avenue, Revere -
 - (a) That work be accepted as completed as of December 30, 1998.
 - (b) That Estimate No. 2 (Final), in the amount of \$11,625.61, be approved for payment.
 - (c) That reserve, in the amount of \$2,795.87, be approved for payment.
 - (Basis of Award - \$52,000.00)
 - (Amount to Date - \$55,917.48)
 - (Contract Performance Rating - 90 with 100 being excellent)
 - (EEO Compliance - 4.40)

The Commission V O T E D: that the work of MRP Site Development, Inc., Contractor under Contract No. P98-1928-C2A, be and hereby is accepted as completed as of December 30, 1998.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$11,625.61, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$2,795.87, for payment.
3. Report of Messrs. Faucher and Mayhew, March 8, on bids for Water Blasting and Painting Pools, Watertown, Roxbury and Cambridge (McCrehan), Contract No. P99-1990-C1A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of B.S.A. Painting Co., Inc., of \$152,750.00).
The Commission V O T E D: to accept the lowest bid received, that of B.S.A. Painting Co., Inc., of \$152,750.00.
4. Report of Messrs. Faucher, Carrigan and Machado, March 8, recommending approval of the request of D & R General Contracting, Inc., general contractor, on Contract No. P97-1920-C1A, for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, to engage the services of Superior Sealcoat, Inc., - for Item No. 047-010 - expansion joint

replacement (asphaltic plug type joint) - at a total cost of \$32,000.00.

(At no increase in Contract cost).

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Brooks and Mayhew, March 8, on bids for Replacement of the Existing Roofing System at the Hall Pool, Stoneham, Contract No. P99-1973-C1A.
(Messrs. Faucher, Brooks and Mayhew recommend acceptance of the lowest bid received, that of Titan Roofing, Inc., of \$162,000.00).
The Commission V O T E D: to accept the lowest bid received, that of Titan Roofing, Inc., of \$162,000.00.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kowalski, March 8, requesting that the Commission reject the bids on Contract No. WM98-097-M2P, for Sudbury Reservoir Tributary Tree Planting, as pages were in missing some of the bid documents which did not allow the contractors to bid properly.
(Messrs. McGinn and Kowalski further request authorization to readvertise the project).
The Commission V O T E D: to reject the bids on Contract No. WM98-097-M2P, for Sudbury Reservoir Tributary Tree Planting, as recommended by Messrs. McGinn Kowalski in their report of March 8, 1999.
The Commission further V O T E D: authorization to readvertise the project.
3. Report of Messrs. McGinn and Baratta, March 5, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Agreements between the MDC and the Towns of Holden and West Boylston, for reimbursement for work associated with drainage and roadway improvements.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Agreements between the MDC and the Towns of Holden and West Boylston, for reimbursement for work associated with drainage and roadway improvements.

Action was taken upon the following Various Matter:

4. Report of Mrs. O'Brien, February 1, submitting for review and approval Permit-Agreement with Boston Duck Tours, LP, for the Operation of an Amphibious Tour Program in the Charles River.
Mrs. O'Brien further requests authorization for Secretary Chisholm to execute the Permit-Agreement on behalf of the Commission.
The Commission V O T E D: Held Over.

Action was taken upon the following matter relating to the Office of the General Counsel:

1. Report of Mr. Gray, March 8, recommending that the Commission adopt an order of taking for approximately 1.1 acres of land owned by the Trust for Public Land, located in the City of Quincy, Massachusetts, and to approve an award of damages in the amount of \$230,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission V O T E D: to adopt an order of taking for approximately 1.1 acres of land owned by the Trust for Public Land, located in the City of Quincy, Massachusetts.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, March 12, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Quincy in the County of Norfolk and Commonwealth of Massachusetts, namely:

Three certain lots of land lying on the southerly side of Mullin Avenue, shown as Lot 4, Lot 6 and Lot 7 upon a plan of land entitled "Division of Land In Quincy, MA Prepared for Czar Realty Trust 1094 Blue Hill Ave. Milton, Ma 02186," dated November 18, 1996, prepared by DeCelle Engineering & Survey Inc., Lawrence W. DeCelle, P.L.S., which plan was recorded with Norfolk District Registry of Deeds on November 27, 1996, as Plan No. 814 of 1996 in Plan Book 444.

Said Lot 4 comprises 32,120 square feet, or 0.74 acres, and is bounded Northerly by Mullin Avenue, Easterly by land now or formerly of the City of Quincy, Southerly and Northwesterly by land of the Commonwealth of Massachusetts, and Westerly by land now or formerly of Stephen Gosselin, Inc.

Said Lots 6 and 7 are contiguous parcels comprising together 15,600 square feet, or 0.36 acres, are bounded Northeasterly by Mullin Avenue, Southerly by land of the Commonwealth of Massachusetts, and Westerly by land now or formerly of the City of Quincy.

The total area of the lands taken hereby is 47,720 square feet, or 1.10 acres.

The above described premises are depicted upon Quincy Assessors Sheet 4126 as all of the easterly portion of Plot 28, and part of the westerly portion of Plot 28, formerly lands of James D. Shea.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Mullin Avenue and/or to the old way along the southerly lines of Lot 4 and Lot 7 which may be held by the supposed owner, as a result of its ownership of the above described property, and being the same premises described in a deed from John M. Feeney, Trustee of Czar Realty Trust to The Trust For Public Land, a California public benefit corporation, with a usual business address of 33 Union Street, Boston, MA 02108, dated January 8, 1998 and recorded with Norfolk Registry of Deeds on January 9, 1998 at Book 12199, Page 264.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Quincy, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNER</u> | <u>AWARD</u> |
|---------------------------|---------------|
| The Trust for Public Land | \$ 230,000.00 |

The Commission further V O T E D: to approve an award of damages in the amount of \$230,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:15 a.m., to meet on Thursday, March 25, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Eighty Sixth (3886th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 25, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on March 4, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Soroka, March 9, recommending approval of revisions in quantities on Contract No. P98-1927-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal Systems and Control Systems Charles River Basin Districts, as follows -

| | |
|---|-------------|
| Item No. 002-020 | \$ 5,000.00 |
| Maintenance for Traffic Control Devices | |
| Item No. 003-010 | \$ 6,600.00 |
| Flashing Traffic Control Device | |
| Knockdown Repair | |
| Item No. 008-010 | \$ 1,200.00 |
| Post Top Mounting 1-Way | |
| Item No. 008-020 | \$ 1,950.00 |
| Post Top Mounting 2-Way | |
| Total - | \$14,750.00 |

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 004-010, 006-010, 007-020, 011-010, 011-020, 015-009, 015-021, 017-010 and 020-010).
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher and Terzian, March 8, submitting for approval Work Schedule and Project Summary Form and requesting permission to advertise Project No. P99-2016-C1A, Charles River Locks and Dam, Marine Building Smoke Stack and Brick Wall Repair. Estimated Cost - \$40,000.00.
Time for Performance - two months.
Funding is available in Account No. 2440-2503.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P99-2016-C1A, Charles River Locks and Dam, Marine Building Smoke Stack and Brick Wall Repair.
3. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, February 25, requesting approval of Amendment No. 3, to Contract Number P95-1801-D1A, with Sasaki Associates, for Dorchester Shores Beaches Restoration Program. Amendment No. 3, calls for an increase in the scope of work and a \$10,000.00 increase in the budget, to design a replacement for the existing playground at McConnell Park.
Funding is available under Account Number 2440-8956.
(Amendment No. 3 is conditional upon the City of Boston granting to the MDC temporary care and control of the playground for the

The first of the year was a very successful one for the school. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

The second of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

The third of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

The fourth of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

The fifth of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

The sixth of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

The seventh of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

The eighth of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

The ninth of the year was also a very successful one. The pupils showed a great improvement in their work, and the teachers were very pleased with the results.

purpose of reconstruction).

The Commission V O T E D: to approve Amendment No. 3 to Contract No. P95-1801-D1A, as requested by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of February 25, conditional upon the City of Boston granting to the MDC temporary care and control of the playground for the purpose of reconstruction.

1. Report of Messrs. Faucher and Lenhardt, March 22, recommending that the Commission ratify the action taken by Deputy Commissioner Faucher, on Contract No. P93-1672-E3A, with B & E Construction Corporation, for Emergency Repair of the Wood's Memorial Bridge, Everett/Medford, which resulted in Alteration No. 1, Revisions in Quantities, and Extra Work Orders, as follows -

ALTERATION

Alteration No. 1 \$ 5,133.33

Rev. to Traffic Control Item No. 7

REVISIONS IN QUANTITIES

Item No. 001-010 \$ 8,853.10

Open Grate Deck Repair

Item No. 002-010 \$ 49,814.60

Structural Steel Replacement

Item No. 006-010 \$ 1,125.00

Special Lighting Unit

EXTRA WORK ORDERS

Extra Work Order No. 1 \$ 3,045.00

Electric Message Board

Extra Work Order No. 2 \$ 11,840.69

Remove and Replace Expansion Dam

Extra Work Order No. 3 \$ 3,463.17

Install Wood Cribbing Under Floorbeam

Extra Work Order No. 4 \$ 699.58

Repair Deck Hatch Door

Extra Work Order No. 5 \$ 1,169.50

Remove and Reinstall Guard Rail and Fence

Extra Work Order No. 6 \$ 164.43

Reweld Broken Steel Grating

Extra Work Order No. 7 \$132,858.89

Emergency Fabrication and Installation of
Expansion Joint

Total Cost - \$218,167.29

Messrs. Faucher and Lenhardt further request approval of SPS of New England, Inc., as subcontractor, on Contract No.

P93-1672-E3A, for fabrication and installation of expansion joint, in the amount of \$132,858.89.

Funding is available in Account No. 2490-0017.

The Commission V O T E D: to ratify the action taken by Deputy Commissioner Faucher, which resulted in Alteration No. 1, Revisions in Quantities, and Extra Work Order Nos. 1, 2, 3, 4, 5, 6 and 7, on Contract No. P93-1672-E3A, with B & E Construction Corporation, for Emergency Repair of the Wood's Memorial Bridge, Everett/Medford.

The Commission further V O T E D: to approve Alteration No. 1, in the amount of \$5,133.33.

The first part of the paper discusses the importance of maintaining accurate records of all transactions. It is essential for the business to have a clear and concise record of all income and expenses. This will allow the business to track its financial performance over time and identify areas for improvement. The second part of the paper discusses the importance of maintaining accurate records of all assets and liabilities. This will allow the business to track its net worth over time and identify areas for improvement. The third part of the paper discusses the importance of maintaining accurate records of all taxes paid. This will allow the business to track its tax liability over time and identify areas for improvement. The fourth part of the paper discusses the importance of maintaining accurate records of all debts. This will allow the business to track its debt liability over time and identify areas for improvement. The fifth part of the paper discusses the importance of maintaining accurate records of all equity. This will allow the business to track its equity over time and identify areas for improvement. The sixth part of the paper discusses the importance of maintaining accurate records of all other financial information. This will allow the business to track its overall financial performance over time and identify areas for improvement.

The Commission further V O T E D: to approve Revisions in Quantities, in the amount of \$59,792.70.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$3,045.00.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$11,840.69.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$3,463.17.

The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$699.58.

The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$1,169.50.

The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of \$164.43.

The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of \$132,858.89.

The Commission further V O T E D: to approve SPS of New England, Inc., as subcontractor, on Contract No. P93-1672-E3A, for fabrication and installation of expansion joint, in the amount of \$132,858.89, as requested by Messrs. Faucher and Lenhardt in their report of March 22, 1999.

1. Report of Messrs. Faucher and Sacco, March 1, requesting approval of Project No. P99-1989-C1A, to Establish an Agency Master Service Agreement for Emergency Bridge Repairs.

Messrs. Faucher and Sacco further request permission to advertise a procurement to establish a standing list of bridge qualified contractors.

Budgeted upset limit for this authorization - \$750,000.00.

Duration for the Agency Master Service Agreement - 36 months.

Account No. will be provided when the service is required.

The Commission V O T E D: Approved.

The Commission further V O T E D: permission to advertise a procurement to establish a standing list of bridge qualified contractors, as requested by Messrs. Faucher and Sacco in their report of March 1, 1999.

2. Report of Messrs. Faucher, Brooks and Balicki, March 24, requesting that the Commission reject both bids received on Contract No. P99-1997-C1A, for Repairs and Improvements to Swimming Pools at Various Locations, as follows -

1. Greater Boston Co., Inc., the low bidder, is requesting permission to withdraw its bid, claiming they neglected to include the \$100,000.00 allowance for Emergency Pool work in their proposal.

2. Allied Weatherproofing Company, Inc., the only other bidder, submitted a proposal which was too high for the work specified.

Messrs. Faucher, Brooks and Balicki further request that a revised Contract No. P99-1997-C2A, in the sum of \$185,000.00, be approved for advertising.

Account No. 2440-8885.

The Commission V O T E D: to reject both bids received on Contract No. P99-1997-C1A, for Repairs and Improvements to Swimming Pools at Various Locations, as requested by Messrs.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be recorded to ensure the integrity of the financial data. This includes not only sales and purchases but also expenses and income. The document further states that regular audits are necessary to verify the accuracy of these records and to identify any discrepancies or errors. It also mentions that proper record-keeping is essential for tax purposes and for providing a clear picture of the company's financial health to stakeholders.

The second part of the document focuses on the importance of transparency and accountability in financial reporting. It argues that companies should provide timely and accurate information to their investors and the public. This involves disclosing all material financial information, including potential risks and uncertainties. The document also highlights the need for strong internal controls and a robust system of checks and balances to prevent fraud and mismanagement. It concludes by stating that transparency and accountability are key factors in building trust and ensuring the long-term success of a company.

Faucher, Brooks and Balicki in their report of March 24, 1999. The Commission further V O T E D: approval to advertise a revised Contract No. P99-1997-C2A, in the sum of \$185,000.00.

1. Report of Messrs. Faucher, Brooks and Mayhew, March 16, on bids for Rehabilitation of the Hall Pool Bathhouse, Stoneham, Contract No. P99-1982-C1A.
(Messrs. Faucher, Brooks and Mayhew, recommend acceptance of the lowest corrected bid received, that of E. A. Colangeli Construction Company, Incorporated, of \$130,784.00.
The Commission V O T E D: to accept the lowest corrected bid received, that of E. A. Colangeli Construction Company, Incorporated, of \$130,784.00.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Vignaly, February 3, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. WM99-053-S1A, for Watershed Division Database Management. Maximum Obligation - \$30,000.00.
Time for Performance - estimated at six months.
Account No. 2420-1400 - sub HH.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM99-053-S1A, for Watershed Division Database Management.

Action was taken upon the following Various Matters:

3. Report of Mrs. O'Brien, February 1, submitting for review and approval Permit-Agreement with Boston Duck Tours, LP, for the Operation of an Amphibious Tour Program in the Charles River. Mrs. O'Brien further requests authorization for Secretary Chisholm to execute the Permit-Agreement on behalf of the Commission.
Associate Commissioner Wu noted that under terms of the proposed Agreement, financing of the controlling interest of the General Partner, Seaweed, Inc., was not specifically addressed. After a discussion of this point with Andrew Wilson, President of Seaweed, Inc., the Commission and the Permittee formally agreed to adding language in the first sentence of Section 25.3 - Page 8, of the Permit-Agreement revised to read as follows -
"If Seaweed Inc., the General Partner for the Permittee, decides to sell or finance its controlling interest, the MDC shall have the rights to review the qualifications as of the prospective purchaser or financier to operate the Amphibious Tour Program, and based on such review, to approve or disapprove the transfer."
Mr. Gray recommended that the changes be made by hand within the original document previously signed by Mr. Wilson, to be initialed and dated by both parties.
The Commission V O T E D: to approve a Permit-Agreement with Boston Duck Tours, LP, for the Operation of an Amphibious Tour

Program in the Charles River, subject to the aforementioned provisions.

The Commission further V O T E D: authorization for Secretary Chisholm to execute the Permit-Agreement on behalf of the Commission.

1. Report of Mr. Jewett, March 19, recommending approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, the following four (4) Contracts for Professional Real Estate Title Examination Services FY99 Park Land Acquisition Program, Suffolk, Middlesex, Plymouth, Essex and Norfolk Counties, Contract No. RP99-002 -

| <u>NAME</u> | <u>VALUE</u> | <u>PARCELS</u> |
|--|--------------|----------------|
| Law Offices of Peter E. Flynn, P.C. 78 Essex Street Saugus, MA 01906 | \$3,575.00 | 5 |

| | | |
|--|------------|----|
| George S. Norton, Esquire 140 Windermere Road Auburndale, MA 02166 | \$5,210.00 | 12 |
|--|------------|----|

| | | |
|---|------------|---|
| Tamagini & Bloomenthal, P.C. 935 Main Street Waltham, MA 02154-7417 | \$2,325.00 | 4 |
|---|------------|---|

| | | |
|---|------------|---|
| Nancy Mahoney Harris, Esquire 4 Park View Drive Hingham, MA 02043 | \$3,550.00 | 6 |
|---|------------|---|

Funds are available in Account No. 2441-9960.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Contracts with the Law Offices of Peter E. Flynn, P.C., George S. Norton, Esquire, Tamagini & Bloomenthal, P.C., and Nancy Mahoney Harris, Esquire, for Professional Real Estate Title Examination Services FY99 Park Land Acquisition Program, Suffolk, Middlesex, Plymouth, Essex and Norfolk Counties, Contract No. RP99-002.

2. Report of Mr. Jewett, March 19, recommending approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, the following four (4) Contracts for Professional Real Estate Appraisal Services FY99 Park Land Acquisition Program, Suffolk, Middlesex, Plymouth, Essex and Norfolk Counties, Contract No. RP99-002 -

| <u>NAME</u> | <u>VALUE</u> | <u>PARCELS</u> |
|--|--------------|----------------|
| Reynolds Company 304 Victory Road Quincy, MA 02171 | \$28,000.00 | 4 |

| | | |
|--|-------------|---|
| Peter S. Emerson & Associates P.O. Box 207 Wakefield, MA 01880 | \$28,400.00 | 9 |
|--|-------------|---|

| | | |
|--|-------------|---|
| Meredith & Grew, Inc. 160 Federal Street Boston, MA 02110-1701 | \$27,100.00 | 6 |
|--|-------------|---|

THE HISTORY OF THE

ROYAL SOCIETY OF LONDON

FROM ITS FIRST INSTITUTION

TO THE PRESENT TIME

IN TWO VOLUMES

THE FIRST VOLUME

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| E.W.H. Anderson Real Estate Consulting, Valuation and Preservation 20 Old Dana Road Petersham, MA 01366 Funds are available in Account No. 2441-9960. The Commission V O T E D: Approved. The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of th Commission, Contracts with Reynolds Company, Peter S. Emerson & Associates, Meredith & Grew, Inc., and E.W.H. Anderson Real Estate Consulting, Valuation and Preservation, for Professional Real Estate Appraisal Services FY99, Park Land Acquisition Program, Suffolk, Middlesex, Plymouth, Essex and Norfolk Counties, Contract No. RP99-002. | \$28,810.00 | 7 |

Action was taken upon the following matters relating to the
Office of General Counsel:

1. Report of Mr. Gray, March 19, submitting for approval expenditure
of \$200,000.00, in Open Order Contract No. RP99-002, for
Appraisal, Title, Engineering and Related Services for Park Land
Acquisition FY99 - Middlesex, Suffolk, Norfolk, Essex and
Plymouth Counties.
Account No. 2441-9960, under Section 2 of Chapter 15 of the Acts
of 1996 (Open Space Bond).
The Commission V O T E D: to approve an expenditure of
\$200,000.00, in Open Order Contract No. RP99-002, for Appraisal,
Title, Engineering and Related Services for Park Land Acquisition
FY99 - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties,
as requested by Mr. Gray in his report of March 19, 1999.
2. Report of Messrs. Gray and McDonald, March 19, requesting
approval of the Settlement Agreement, pursuant to negotiations by
and between the Colonial Surety Company and the MDC relative to
MDC Contract No. P96-1839-C1A, with Bull Contracting, Inc., for
George's Island Picnic Pavilion.
Messrs. Gray and McDonald further request authorization for
Commissioner Balfour to execute the Settlement Agreement on
behalf of the Commission.
The Commission V O T E D: Approved as requested by Messrs. Gray
and McDonald in their report of March 19, 1999.
The Commission further V O T E D: authorization for Commissioner
Balfour to execute the Settlement Agreement on behalf of the
Commission.

Adjourned at 10:05 a.m., to meet on Thursday, April 1, 1999,
at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Eighty Seventh (3887th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 1, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on March 12, 1999 were read and approved.

Action was taken upon the following matter relating to the Engineering and Construction Division:

1. Report of Mr. Faucher and Mrs. Graves-Jones, March 23, recommending approval of revisions in quantities on Contract No. P98-1925-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts, as follows -

| | |
|---|--------------------|
| Item No. 002-020 | \$ 4,250.00 |
| Maintenance for Traffic Control Devices | |
| Item No. 006-020 | <u>\$ 6,300.00</u> |
| Vehicle Signal Head 12" | |

Total - \$10,550.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 004-010 - Labor Rate for Licensed Electrician (control technician) - 015-021 - Traffic Signal Cable - 21 Conductor and 018-010 - Traffic Signal Loop Detector Conductor).

The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Vignaly, February 18, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. WM99-052-S1A, for Stormwater Conveyance Mapping.
Maximum Obligation - \$80,000.00.
Time for Performance - six months.
Account No. 2420-1400 sub HH.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM99-052-S1A, for Stormwater Conveyance Mapping.
3. Report of Messrs. McGinn and Baratta, February 5, requesting authorization to develop Agreements with the Towns of Holden and West Boylston, as follows -

| |
|---|
| Financing a Connection Loan Program with the Town of Holden, at a cost not-to-exceed \$3,450,000.00. |
| Financing a Connection Loan Program with the Town of West Boylston, at a cost not-to-exceed \$3,450,000.00. |

The Agreements shall have an initial duration of 5 years.
Messrs. McGinn and Baratta further request authorization for Commissioner Balfour to execute the Agreements on behalf of the Commission.

The first part of the paper discusses the importance of the study and the objectives of the research. It also mentions the scope of the study and the limitations of the study.

The second part of the paper discusses the methodology used in the study. It mentions the data sources and the data collection methods used in the study.

The third part of the paper discusses the results of the study. It mentions the findings of the study and the conclusions drawn from the study.

The fourth part of the paper discusses the implications of the study. It mentions the practical implications of the study and the theoretical implications of the study.

The fifth part of the paper discusses the limitations of the study. It mentions the limitations of the study and the limitations of the study.

The sixth part of the paper discusses the conclusions of the study. It mentions the conclusions of the study and the conclusions of the study.

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Funding from Account No. 2420-7964.

The Commission V O T E D: authorization to develop Agreements with the Towns of Holden and West Boylston, as recommended by Messrs. McGinn and Baratta, in their report of February 5, 1999. The Commission further V O T E D: authorization for Commissioner Balfour to execute the Agreements on behalf of the Commission.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Doak, March 24, submitting for approval and execution, Amendment to the Contract between the Commission and Kenneth Campbell, regarding the Contract for Professional Golf Services at Ponkapoag Golf Course, which reads as follows - Page 5, Section E, 1. and 2.:
 1. The Operator and/or his designated employee (s) shall collect all fees paid in connection with the services he provides, including Handicapping Service Fees, Driving Range Fees, Golf Cart Rental Fees as well as those sums collected at th Pro Shop from sales, rentals, and lessons. The M.D.C. shall collect all fees paid in connection with Season Memberships, Daily Fees and Tournament Fees.
 2. The Operator shall maintain his/her own bookkeeping system relative to his/her operations at the Golf Course.

The Commission V O T E D: Approved as submitted by Mr. Doak, in his report of March 24, 1999.

The Amendment did not arrive in time for execution, therefore it was requested that Commissioner Balfour be authorized to execute the Amendment on behalf of the Commission.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following Various Matters:

2. Report of Mrs. O'Brien, March 24, requesting approval of an Amendment to Contract No. PL97-044-S1A, with Camp Dresser & McKee, for Pope John Paul II Park, which transfers \$73,249.00 of unused funds in Tasks A thru F and Optional Services and Direct Expenses to Task G and increasing the available funding by \$238,751.00.

The Contract cost will increase from an upset limit of \$950,000.00 to \$1,188,751.00.

Funding from Account No. 2420-8961.

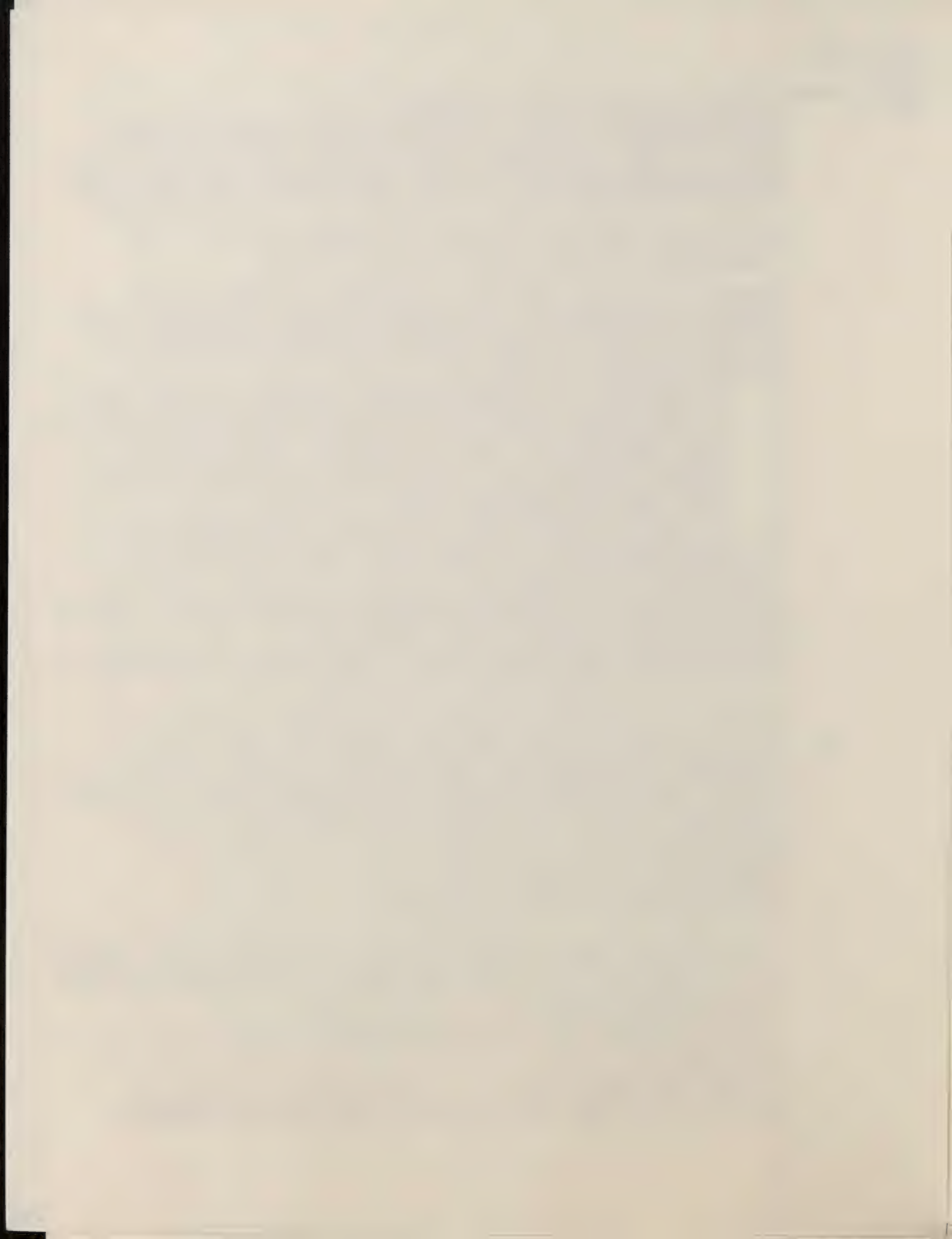
The Commission V O T E D: Approved.
3. Report of Mr. Jewett, March 26, requesting approval of a Contract for Professional Real Estate Relocation Services with Relocation Consultants, to provide services related to the FY1999 Watershed Land Acquisition Program.

Value - \$2,625.00 for one parcel of land.

Time for Performance - sixty days, with a completion date of June 30, 1999.

Account No. 2421-9936.

Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.



The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

1. Report of Mr. Jewett, March 26, requesting approval of a Contract for Professional Real Estate Relocation Services with Relocation Consultants to provide services related to the FY1999 Park Land Acquisition Program.
Value - \$4,550.00 for three parcels of land.
Time for Performance - sixty days, with a completion date of June 30, 1999.

Account No. 2441-9960.

Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

2. Report of Mr. Jewett, March 29, requesting approval of the Fabrication and Installation of Ten Caste Bronze Panels by Paul King Foundry, Inc., for Paul Revere Park, at a cost of \$15,000.00.

Time for Performance - three months from Notice to Proceed.

Account No. 2449-6033.

Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

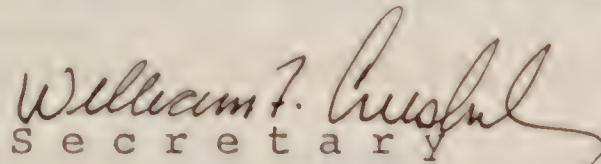
The Commission V O T E D: Held Over.

3. At this point, Commissioner Balfour made note of the impending resignation of the Reverend Joseph R. Fahey, Society of Jesus, as President of Boston College High School, following ten years in that position.

Commissioner Balfour noted that during Father Fahey's tenure at Boston College High School, he was a great friend of the Metropolitan District Commission and supported the Commission in its many activities and special events.

The Commissioner and Associate Commissioners then joined in an expression of best wishes and continued success in all Father Fahey's future endeavors and requested that this Resolution be spread upon the records of the Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Father Fahey.

Adjourned at 10:10 a.m., to meet on Thursday, April 15, 1999, at 9:00 a.m.


S e c r e t a r y

The first part of the paper discusses the importance of the study and the objectives of the research. It also mentions the scope of the study and the limitations.

The second part of the paper describes the methodology used in the study. It includes the data collection methods and the analysis techniques.

The third part of the paper presents the results of the study. It includes the findings of the research and the conclusions drawn from the data.

The fourth part of the paper discusses the implications of the study. It includes the practical applications of the findings and the suggestions for future research.

The fifth part of the paper is the conclusion. It summarizes the main points of the study and the findings.

The sixth part of the paper is the bibliography. It lists the references used in the study.

The seventh part of the paper is the appendix. It includes the supplementary material related to the study.

The eighth part of the paper is the index. It provides a quick reference to the different sections of the paper.

The ninth part of the paper is the glossary. It defines the key terms used in the study.

The tenth part of the paper is the list of figures. It provides a quick reference to the different figures in the study.

The eleventh part of the paper is the list of tables. It provides a quick reference to the different tables in the study.

The twelfth part of the paper is the list of abbreviations. It provides a quick reference to the different abbreviations used in the study.

Record of the Three Thousand Eight Hundred and Eighty Eighth (3888th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 15, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr and Elkort.

The Records of the Commission Meeting held on March 25, 1999 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

1. Contract-Agreement No. PL92-017-D2A, dated April 15, 1999, with Carol R. Johnson Associates, Inc., for Upper Charles River Reservation Restoration - Phase 2 Design.
2. Amendment No. 2, dated April 15, 1999, to Contract-Agreement No. P95-1784-D1A, with Carol R. Johnson Associates, Inc., for Design Services for Rehabilitation of South Boston Beaches.
3. Amendment, dated April 15, 1999, to Contract-Agreement No. PL97-044-S1A, with Camp Dresser & McKee, for Pope John Paul II Park.
4. Contract No. P92-1628-C8A, dated April 15, 1999, with Greenscape Land Design, Inc., for 1999 Parkway Landscape Improvements.
5. Contract No. P99-1990-C1A, dated April 15, 1999, with B.S.A. Painting Co., Inc., for Water Blasting and Painting Pools, Watertown, Roxbury and Cambridge (McCrehan).
6. Contract No. P98-1954-C2A, dated April 15, 1999, with R.A.D. Corporation, for Construction of New Playground at Caddy Park, Quincy.

Action was taken upon the following matters relating to the Engineering and Construction Division:

7. Report of Messrs. Faucher and Mayhew, February 24, recommending the following on Contract No. PL92-017-C1A, with D & C Construction Corp., Inc., for Upper Charles River Restoration, Phase 1 -
 - (a) That work be accepted as completed as of August 31, 1998.
 - (b) That Estimate No. 15 (Final), in the amount of \$6,971.81, be approved for payment.
 - (c) That reserve, in the amount of \$366.94, be approved for payment.
 - (Basis of Award - \$1,124,140.00)
 - (Amount to Date - \$1,388,995.80)
 - (Contract Performance Rating - 4.16)
 - (EEO Compliance - 3.50)

The Commission V O T E D: that the work of D & C Construction Corp., Inc., Contractor under contract No. PL92-017-C1A, be and hereby is accepted as completed as of August 31, 1998.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part outlines the various methods and tools used to collect and analyze data. It mentions the use of surveys, interviews, and focus groups to gather information from stakeholders. Additionally, it discusses the application of statistical analysis to interpret the collected data.

3. The third part describes the process of identifying key performance indicators (KPIs) and how they are used to measure the organization's progress towards its goals. It highlights the need for regular monitoring and reporting on these indicators.

4. The fourth part focuses on the role of communication in the overall process. It stresses the importance of clear and consistent communication between all levels of the organization to ensure that everyone is aligned with the same objectives and understands their role in achieving them.

5. The fifth part discusses the challenges faced during the implementation of the process and how they were overcome. It mentions the initial resistance from some staff members and the lack of resources, but notes that through persistent effort and collaboration, these challenges were successfully addressed.

6. The sixth part provides a summary of the findings and conclusions drawn from the study. It states that the implemented process has led to improved efficiency, better decision-making, and increased transparency within the organization.

7. The seventh part offers recommendations for future work and suggests areas for further research. It recommends continuing to refine the process and exploring new technologies that could enhance data collection and analysis.

8. The eighth part is a conclusion that reiterates the significance of the study and its findings. It expresses confidence in the effectiveness of the implemented process and its potential for long-term success.

9. The ninth part is a list of references, citing the various sources used in the research, including books, articles, and online resources.

10. The tenth part is an appendix containing additional information, such as the raw data collected, the survey questions used, and the detailed results of the statistical analysis.

The Commission further V O T E D: to approve Estimate No. 15 (Final), in the amount of \$6,971.81, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$366.94, for payment.

1. Report of Messrs. Faucher and Terzian, March 29, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Orders on Contract No. P98-1940-C1A, with Tasco Construction Company, Inc., for Removal/Replacement of Gates at the Charles River Locks & Dam, as follows -
Extra Work Order No. 4 - for New High Sluice Gate Actuator - at a cost not-to-exceed \$86,866.30.
Extra Work Order No. 5 - for Sector Gate Actuator Repair - at a cost not-to-exceed \$35,000.00.
Funding from Account No. 2440-8950.
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order Nos. 4 and 5, on Contract No. P98-1940-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$86,866.30.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$35,000.00.
2. Report of Messrs. Faucher, Brooks and Balicki, March 31, requesting rejection of the bids of Tasco Construction, Inc., and T-Ford Company, Inc., on Contract No. P99-1998-C2A, for New Potable Water Line, Latta Pool, Somerville, as the lowest bid was 59% above the Engineer's estimate of \$75,000.00.
Messrs. Faucher, Brooks and Balicki further request authorization to readvertise the project.
The Commission V O T E D: to reject the bids of Tasco Construction, Inc., and T-Ford Company, Inc., on Contract No. P99-1998-C2A, for New Potable Water Line, Latta Pool, Somerville, as recommended by Messrs. Faucher, Brooks and Balicki in their report of March 31, 1999.
The Commission further V O T E D: authorization to readvertise the project.
3. Report of Messrs. Faucher, Brooks and Haider, March 31, recommending that the Commission ratify the action of Deputy Commissioner Faucher resulting in Extra Work Orders on Contract No. P98-1963-M1A, with Keystone Elevators, Inc., for Service and Maintenance of Elevators at Various Locations, as follows -
Extra Work Order No. 1a - MDC Headquarters - at a cost of \$2,522.53.
Extra Work Order No. 1b - MDC Headquarters - at a cost of \$4,076.57.
Funding from Account No. 2440-0010.
The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher, which resulted in Extra Work Order Nos. 1a and 1b, on Contract No. P98-1963-M1A.
The Commission further V O T E D: to approve Extra Work Order No. 1a, in the amount of \$2,522.53.
The Commission further V O T E D: to approve Extra Work Order No. 1b, in the amount of \$4,076.57.

The first part of the paper discusses the importance of the study and the objectives of the research. It also provides a brief overview of the methodology used in the study. The second part of the paper presents the results of the study and discusses the implications of the findings. The third part of the paper concludes the study and provides some final thoughts on the research.

The study was conducted using a qualitative research approach. The data was collected through interviews with participants who were selected based on their experience with the topic. The interviews were conducted in a semi-structured format, allowing the researcher to explore the topic in depth while also following a general outline of questions. The data was then analyzed using thematic analysis, which involves identifying themes or patterns in the data that relate to the research objectives.

The findings of the study suggest that there are several key factors that influence the outcomes of the research. These factors include the quality of the data, the reliability of the participants, and the effectiveness of the research methodology. The study also highlights the importance of careful planning and execution in conducting research of this type.

In conclusion, the study provides valuable insights into the topic and highlights the need for further research in this area. The findings suggest that there are several key factors that influence the outcomes of the research, and that careful planning and execution are essential for conducting research of this type. The study also highlights the importance of the research methodology and the quality of the data in determining the outcomes of the research.

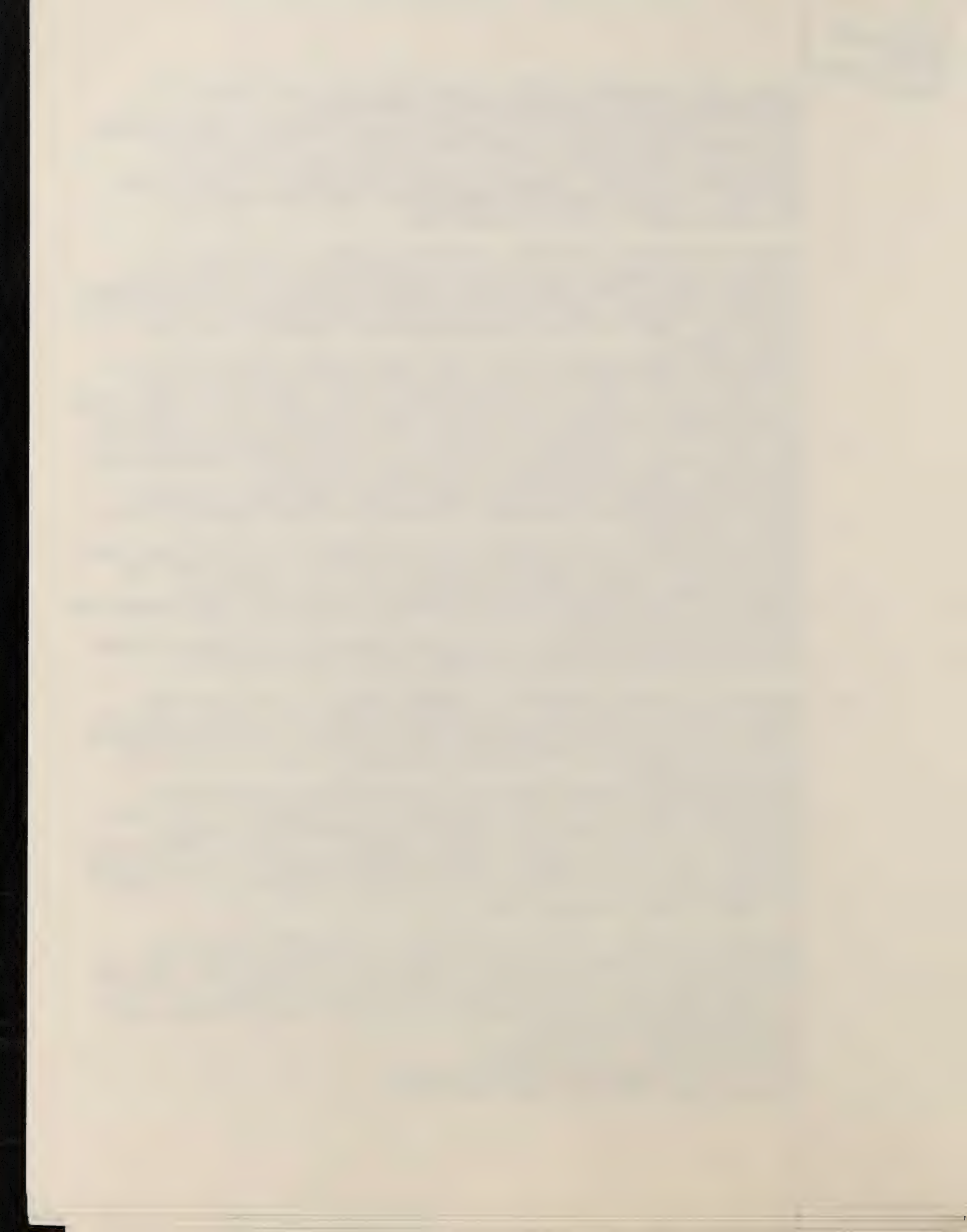
1. Report of Messrs. Faucher, Brooks and Haider, April 6, recommending approval of Extra Work Order No. 2 - to remove, repair and re-install the stage lift at the Hatch Shell and to also meet current code requirements - at a cost of \$2,552.72 - on Contract No. P98-1963-M1A, with Keystone Elevators, Inc., for Service and Maintenance of Elevators at Various Locations. Funding from Account No. 2440-0010.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of \$2,552.72.
2. Report of Mr. Faucher and Mrs. Graves-Jones, April 9, on bids for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC, Contract No. P99-1991-M1A.
(Mr. Faucher and Mrs. Graves-Jones recommend acceptance of the lowest bid received, that of Hi-Way Safety Systems, Inc., of \$298,535.00).
The Commission V O T E D: to accept the lowest bid received, that of Hi-Way Safety Systems, Inc., of \$298,535.00.
3. Report of Messrs. Faucher and Jackson, March 25, requesting approval of an extension of time from June 30, 1999 to October 31, 1999, on Contract No. P92-1628-C7A, with Foye & Letendre Landscaping, Inc., for 1998 Parkway Landscape Improvements, due to unavailability of plant material to complete planting and additional time needed to cover contractor's maintenance obligation.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from June 30, 1999 to October 31, 1999, as requested by Messrs. FAucher and Jackson in their report of March 25, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
4. Report of Messrs. Faucher and Jackson, March 18, on bids for Construction of New Comfort Station at Richard T. Artesani Playground, Contract No. P97-1871-C2B.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of S. B. General Contractors, Inc., of \$286,550.00).
The Commission V O T E D: to accept the lowest bid received, that of S. B. General Contractors, Inc., of \$286,550.00.
5. Report of Messrs. Faucher and DiRamio, March 29, recommending approval of Amendment No. 1 - for an increase in funding for construction phase services - at a cost of \$19,671.00, on Contract No. P98-1956-D2A, with Vollmer Associates, for Rehabilitation of Constitution Beach, East Boston.
Funding from Account No. 2440-8956.
The Commission V O T E D: Approved.
6. Report of Mr. Faucher and Mrs. Pomorska, April 8, recommending approval of a revisions in quantities on Item No. 004-030 - Labor Rate for Helper - at a cost of \$11,100.00, on Contract No. P98-1926-M1A, with Coviello Electric and General Contracting Co.,

Inc., for Servicing Traffic Signal and Control Systems in Middlesex Fells and Revere Beach Districts.

(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 004-010 - Labor Rate for Licensed Electrician, 015-009 - Traffic Signal Cable - 9 Conductor, 011-010 - Cement Concrete Foundation - Removed and 011-020 - Cement Concrete Foundation - Octagonal Base).

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Brooks, April 1, on bid for Service and Repairs to all MDC Swimming Pools and Filtration Systems within the Metro Parks System, Contract No. P99-1996-M1A. (Messrs. Faucher and Brooks recommend acceptance of the only bid received, that of Allied Weatherproofing Company, Inc., of \$568,000.00). Associate Commissioner Carr noted that he was uncomfortable in voting on a Contract of this magnitude when there was only a single bidder. He then stated that he was informed by staff that considerable outreach was done by the Division in an attempt to interest other qualified contractors in submitting proposals for the Contract. However, he noted, the Division was unsuccessful. Associate Commissioner Carr then spoke of Allied Weatherproofing's failure to comply with some administrative issues on previous Contracts, including project close outs and final payments. He then stated that he would vote for approval of the award, but was doing so with a great deal of reluctance, noting that any further delay would adversely effect the pool openings. Associate Commissioner Elkort stated that she was also voting for approval reluctantly. The Commission V O T E D: to accept the only bid received, that of Allied Weatherproofing Company, Inc., of \$568,000.00.
2. Report of Messrs. Faucher and Sacco, April 12, recommending approval of an extension of time from March 14, 1999 to June 30, 1999, on Contract No. P98-1930-C1A, with J. F. White Contracting Co., for Controlled Dewatering and Related Work, Granite Rail Quarry, Quincy. (Cost associated with additional work will be forthcoming). The Commission V O T E D: to approve an extension of time from March 14, 1999 to June 30, 1999, as recommended by Messrs. Faucher and Sacco in their report of April 12, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
3. Report of Messrs. Faucher, Carrigan and Machado, March 26, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P99-2018-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan District. Estimated Cost - \$710,000.00. Time for Performance - twelve months. Account Nos. 2490-0017 and 2440-8952.



The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-2018-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan District.

1. Report of Messrs. Faucher, Carrigan and Machado, March 26, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-2017-C1A, Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District.
Estimated cost - \$1,850,000.00.
Time for Performance - twelve months.
Account Nos. 2490-0017 and 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-2017-C1A, Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District.
2. Report of Messrs. Faucher, Carrigan and Machado, March 26, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-2019-C1A, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System.
Estimated Cost - \$565,000.00.
Time for Performance - twelve months.
Account Nos. 2490-0017 and 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-2019-C1A, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System.
3. Report of Messrs. Faucher and Sacco, April 12, recommending approval of Amendment No. 2, to Contract No. P98-1930-S1A, with GEI Consultants, Inc., for Feasibility Study for Securing Public Safety at the Granite Rail Quarry, Quincy, which increases the upset limit from \$645,369.00 to \$785,369.00, an increase of \$140,000.00.
Messrs. Faucher and Sacco further request authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
Funding from Account No. 2440-8885.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following matters relating to the Watershed Management Division:
4. Report of Messrs. McGinn and Pula, March 31, on proposals for the purchase of roadside sawlogs located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the highest qualified bid,

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be carefully documented to ensure the integrity of the financial data. This includes recording dates, amounts, and the nature of the transactions.

Secondly, the document outlines the procedures for reconciling the accounts. It states that a regular reconciliation process should be followed to identify and correct any discrepancies between the internal records and the external statements. This process is crucial for maintaining the accuracy of the financial statements.

Thirdly, the document addresses the issue of internal controls. It suggests implementing a system of checks and balances to prevent errors and fraud. This involves assigning specific responsibilities to different individuals and ensuring that there is a clear separation of duties.

Finally, the document concludes by stressing the importance of transparency and accountability. It encourages the organization to maintain open communication with its stakeholders and to provide regular updates on its financial performance. This helps to build trust and ensures that the organization is operating in a responsible and ethical manner.

that of W. D. Cows, Inc., of \$5,296.40; to purchase approximately 33,125 board feet of logs, on Roadside Sale No. 62 - Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Pula, March 26, on proposals for the purchase of forest products located on Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of \$6,860.00; to purchase approximately 40,000 board feet of timber and 661 cords of firewood on Timber Lot No. 157 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the only bid, that of Jacques Caron, of \$1,550.00; to purchase approximately 4,000 board feet of timber and 105 cords of firewood on Timber Lot No. 158 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to reject the only bid received, that of Tim Robinson Logging, of \$4,230.00; to purchase approximately 83,000 board feet of timber and 144 cords of firewood on Timber Lot No. 278A - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of New England Forest Products, of \$5,635.00; to purchase approximately 45,000 board feet of timber and 4 cords of firewood on Timber Lot No. 279 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ellsworth Sawmill, of \$11,760.00; to purchase approximately 105,000 board feet of timber and 38 cords of firewood on Timber Lot No. 280 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of \$9,680.00; to purchase approximately 88,000 board feet of timber on Timber Lot No. 281 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Leclerc & Son, of \$17,277.27; to purchase approximately 191,000 board feet of timber, 344 cords of firewood, and 285 tons of pulp on Timber Lot No. 832 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Prentiss & Carlisle, of \$49,805.00; to purchase approximately 448,000 board feet of timber, 94 cords of firewood and 1,073 tons of pulp on Timber Lot No. 833 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Crossties Ltd., of \$50,922.00; to purchase approximately 306,000 board feet of timber, 37 cords of firewood and 426 tons of pulp on Timber Lot No. 834 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of \$14,955.00; to purchase approximately 143,000 board feet of timber, 48 cords of firewood and 185 tons of pulp on Timber Lot No. 835 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of \$14,630.00; to purchase approximately 151,000 board feet of timber, 74 cords of firewood and 222 tons of pulp on Timber Lot No. 836 - Quabbin Reservoir Watershed.

Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Crossties Ltd., of \$58,407; to purchase approximately 378,000 board feet of timber, 60 cords of firewood and 632 tons of pulp on Timber Lot No. 837 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of Wetherby Farm, of \$2,650.00; to purchase approximately 15,000 board feet of timber and 243 cords of firewood on Timber Lot No. 838 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Tim Robinson Logging, of \$23,820.00; to purchase approximately 226,000 board feet of timber, 85 cords of firewood, and 500 tons of pulp on Timber Lot No. 839 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Tommila Bros., of \$40,080.00; to purchase approximately 309,000 board feet of timber and 600 cords of firewood on Timber Lot No. 840 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Leclerc & Son, of \$35,297.75; to purchase approximately 283,000 board feet of timber, 48 cords of firewood and 331 tons of pulp on Timber Lot No. 841 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Tim Robinson Logging, of \$11,980.00; to purchase approximately 147,000 board feet of timber, 48 cords of firewood and 350 tons of pulp on Timber Lot No. 842 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only qualified bid, that of New Braintree Firewood, of \$3,101.00; to purchase approximately 24,000 board feet of timber and 166 cords of firewood on Timber Lot No. 843 - Quabbin Reservoir Watershed.

1. Report of Mr. McGinn, March 30, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1726, conveying S.W. 1/2 Lot No. 1144 to Donald G. Wheeler.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1726, dated April 15, 1999, which was signed by the Commissioner and two Associate Commissioners.
2. Report of Messrs. McGinn and Misslin, March 11, recommending the following on Contract No. WM96-013-X2A, with Coneco Environmental Corp., for Compliance and Site Assessment Services, Wachusett Reservoir Watershed -
 - (a) That work be accepted as completed as of July 31, 1998.
 - (b) That Estimate No. 5 (Final), in the amount of \$70.63, be approved for payment.
 - (c) That reserve, in the amount of \$1,142.88, be approved for payment.
 - (Basis of Award - \$11,658.00)
 - (Amount to Date - \$11,500.18)
 - (Contract Performance Rating - 9.00 with 10.00 being excellent)
 - (EEO Compliance - N/A)

The Commission V O T E D: that the work of Coneco Environmental Corp., Contractor under Contract No. WM96-013-X2A, be and hereby is accepted as completed as of July 31, 1999.

The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$70.63, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,142.88, for payment.

1. Report of Messrs. McGinn and Baratta, February 19, requesting approval of the following on Contract No. WM95-061-C1A, with Roads Corp., for Fast Track Sewer Construction Pinecroft Area of Holden and West Boylston -

Alteration No. 2 \$42,500.00

Additional cost for Mark Bradford Pump Station
Instrumentation and Control System

Extra Work Order No. 3 \$ 7,422.06

Installation of Underground System to
Eliminate Ground Water that Was Directed To
Street

Extra Work Order No. 4 \$ 4,225.93

Remove and Replace Existing Drains

Extra Work Order No. 5 \$ 5,900.66

Remove and Replace 12" CMP Drain In
Conflict With Sewer Installation

Total - \$60,048.65

Messrs. McGinn and Baratta further request approval of an increase in Contract cost to \$7,261,909.83.

Funding from Account No. 2420-7961.

The Commission V O T E D: to approve Alteration No. 2, in the amount of \$42,500.00.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$7,422.06.

The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$4,225.93.

The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$5,900.66.

The Commission further V O T E D: to approve an increase in Contract to \$7,261,909.83, as requested by Messrs. McGinn and Baratta, in their report of February 19, 1999.

2. Report of Messrs. McGinn and Morrone, March 29, requesting the following on Contract No. WM99-101-X1A, with Vanasse Hangen Brustlin, Inc., (VHB), for Environmental Site Assessment Services on MDC Watershed Property, Sterling -

1. An increase of \$6,100.00 to complete the original Contract and the second phase of the site work.

2. An extension of time to May 31, 1999, for VHB to complete the work.

Funding from Account No. 2420-1400.

The Commission V O T E D: Approved as requested by Messrs. McGinn and Morrone in their report of March 29, 1999.

3. Report of Messrs. McGinn and Baratta, February 19, submitting for approval Work Schedule and Project Justification and requesting authorization to advertise Project No. WM98-X9A-X13A, for

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Construction Administration and Field Inspection Services to Complete Phase III Sewer Construction Project - Holden/West Boylston, and Provide Service during Phase IV and Phase V Construction.

Funding in the amount of \$3,000,000.00, is contingent upon passage of House Bill 2271.

Estimated Duration from Notice to Proceed - thirty months to complete Phase III construction and start Phase IV.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. WM98-X9A-X13A, for Construction Administration and Field Inspection Services to Complete Phase III Sewer Construction Project - Holden/West Boylston, and Provide Service during Phase IV and Phase V Construction.

1. Report of Messrs. McGinn and Vignaly, February 16, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. WM99-055-D1A, for Building Systems Improvements, DWM Field Headquarters, West Boylston.
Maximum Obligation - \$20,00.00.
Estimated Duration - six months.
Funding from Account No. 2420-1400 sub NN.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM99-055-D1A, for Building Systems Improvements, DWM Field Headquarters, West Boylston.
2. Report of Mr. McGinn, April 9, on bids for Sudbury Reservoir Tributary Tree Planting, Project No. WM98-097-M3P.
(Mr. McGinn recommends acceptance of the lowest bid received, that of Arello, Inc., of \$21,710.00).
The Commission V O T E D: to accept the lowest bid received, that of Arello, Inc., of \$21,710.00.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, March 29, requesting approval and execution of the Fabrication and Installation of Ten Cast Bronze Panels by Paul King Foundry, Inc., for Paul Revere Park, at a cost of \$15,000.00.
Time for Performance - three months from Notice to Proceed.
Account No. 2449-6033.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract for Fabrication and Installation of Ten Cast Bronze Panels for Paul Revere Park, dated April 15, 1999, with Paul King Foundry, Inc., which was signed by the Commissioner and two Associate Commissioners.
4. Report of the Concession Selection Committee, April 6, recommending that Boston Snack Food and Concessions, be held in default on its food service Permits for Sandy Beach and Breakheart Reservation and authorization be granted to advertise for proposals for both locations for the 1999 - 2000 - 2001 and 2002 seasons.

The first part of the paper discusses the importance of maintaining accurate records of all transactions. It is essential for the business to have a clear and concise record of all income and expenses. This will allow the business to track its financial performance over time and identify areas where it may be able to reduce costs or increase revenue.

The second part of the paper discusses the importance of maintaining accurate records of all assets and liabilities. This will allow the business to track its net worth over time and identify areas where it may be able to increase its assets or reduce its liabilities.

The third part of the paper discusses the importance of maintaining accurate records of all taxes paid. This will allow the business to track its tax liability over time and identify areas where it may be able to reduce its tax liability.

The fourth part of the paper discusses the importance of maintaining accurate records of all contracts and agreements. This will allow the business to track its legal obligations over time and identify areas where it may be able to reduce its legal liability.

The fifth part of the paper discusses the importance of maintaining accurate records of all personnel records. This will allow the business to track its human resources over time and identify areas where it may be able to reduce its personnel costs.

The sixth part of the paper discusses the importance of maintaining accurate records of all inventory. This will allow the business to track its inventory levels over time and identify areas where it may be able to reduce its inventory costs.

The seventh part of the paper discusses the importance of maintaining accurate records of all equipment and fixtures. This will allow the business to track its equipment and fixtures over time and identify areas where it may be able to reduce its equipment and fixtures costs.

The eighth part of the paper discusses the importance of maintaining accurate records of all insurance policies. This will allow the business to track its insurance coverage over time and identify areas where it may be able to reduce its insurance costs.

The ninth part of the paper discusses the importance of maintaining accurate records of all legal documents. This will allow the business to track its legal documents over time and identify areas where it may be able to reduce its legal costs.

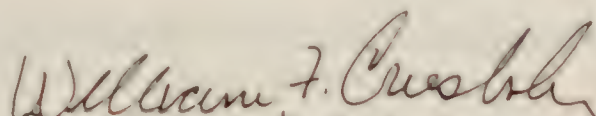
The tenth part of the paper discusses the importance of maintaining accurate records of all financial statements. This will allow the business to track its financial statements over time and identify areas where it may be able to reduce its financial costs.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise for proposals for both locations for the 1999 - 2000 - 2001 and 2002 seasons.

1. Report of Commissioner Balfour, April 6, recommending that the Commission name the Little League Baseball Diamond at the Sergeant John T. Moynihan Memorial Play Center, Truman Parkway, Hyde Park, in memory of David Stephen Curley.
The Commission V O T E D: to name the Little League Baseball Diamond at the Sergeant John T. Moynihan Memorial Play Center, Truman Parkway, Hyde Park, in memory of David Stephen Curley, as recommended by Commissioner Balfour in his report of April 6, 1999.
2. Report of the Concession Selection Committee, March 31, recommending award of the five-year food service concession Permit at the Edward J. McCormack, Jr. Bathhouse, Carson Beach, South Boston, to the high bidder, Gerard F. Adomunes, of Sterling Food Management, with compensation to the Commission at the rate of \$20,000.00 or 12% of gross proceeds, whichever is greater, per each year of the 5 year permit.
(The concession will be named Beachside Cafe by Gerard).
The Commission V O T E D: to award the five-year food service concession Permit at the Edward J. McCormack, Jr. Bathhouse, Carson Beach, South Boston, to the high bidder, Gerard F. Adomunes, of Sterling Food Management, with compensation to the Commission at the rate of \$20,000.00 or 12% of gross proceeds, whichever is greater, per each year of the 5 year permit.

Adjourned at 10:50 a.m., to meet on Wednesday, April 21, 1999, at 9:00 a.m., at The Bothume House, 4 Woodland Road, Stoneham.


S e c r e t a r y

The first part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present. The author then goes on to discuss the various factors that have shaped the development of the United States, including the role of the government, the economy, and the culture. The paper concludes by suggesting that a study of the history of the United States is not only a valuable academic exercise, but also a necessary one for anyone who wishes to understand the world in which we live.

Conclusion

In conclusion, the author believes that the study of the history of the United States is a vital part of our education. It is through the study of our past that we can learn the lessons of our history and apply them to the challenges of the future. The author hopes that this paper has provided a useful overview of the importance of the study of the history of the United States.

Record of the Three Thousand Eight Hundred and Eighty Ninth (3889th) meeting of the Metropolitan District Commission duly called and held at Bothume House, 4 Woodland Road, Stoneham, on Wednesday, April 21, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Rollins.

The Records of the Commission Meeting held on April 1, 1999, were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P99-1973-C1A, dated April 21, 1999, with Titan Roofing, Inc., for Replacement of the Existing Roofing System at the Hall Pool, Stoneham.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Kane, April 13, recommending that the Commission Amend its vote of March 4, 1999, on Contract No. P99-1984-C1A, as follows -
Increasing the cost of the project from \$400,000.00 to \$626,095.00.

Approve and grant authorization to advertise Contract No. P99-1984-C1A, Windows Replacement and Associated Repairs to MDC Headquarters Building.

Estimated Cost \$574,890.00.

Funding as follows -

\$400,000.00 - Account No. 2440-2503 - (Previously approved)

\$ 37,358.00 - Account No. 2440-2503 - Requested approval

\$137,532.00 - Account No. 2440-8952 - Requested approval

\$574,890.00 - Total

Messrs. Faucher, Brooks and Kane further request approval of Contract No. P99-1984-E1A, for Pre-Purchase of Air Conditioning Units - MDC Headquarters Building.

\$ 51,205.00 - Estimated Cost - Account No. 2440-8962 - Requested approval.

\$626,095.00 - Total Project Cost.

Estimated Time of Performance - eight months.

The Commission V O T E D: to Amend its vote of March 4, 1999, on Contract No. P99-1984-C1A, by increasing the cost of the project from \$400,000.00 to \$626,095.00, and further to approve and grant authorization to advertise Contract No. P99-1984-C1A, Windows Replacement and Associated Repairs to MDC Headquarters Building.

The Commission further V O T E D: to approve Contract No. P99-1984-E1A, for Pre-Purchase of Air Conditioning Units - MDC Headquarters Building, as requested by Messrs. Faucher, Brooks and Kane, in their report of April 13, 1999.

3. Report of Messrs. Faucher and Griffin, March 4, recommending approval of Amendment No. 3, for an increase in the design upset limit by \$684,188.00, on Contract No. P82-1129-D1A, with Vanasse Hangen Brustlin, Inc., Consulting Engineers, for Engineering

Services for the Rehabilitation of Morrissey Boulevard and Redesign of the John J. Beades Bridge, Dorchester.
Funding from Account No. 2490-8910.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Machado, April 16, recommending approval of a revision in quantity on Item No. 076-010 - Embankment Fence - at a cost of \$101,250.00, and an extension of time from May 10, 1999 to July 31, 1999, on Contract No. P97-1919-C1A, with DeLucca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System.
(At no increase in Contract cost as the revision will be offset by unused quantities in 57 other items).
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher, Brooks and Abounaja, March 20, recommending approval of Extra Work Orders as follows on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities -

| | |
|---|-------------|
| Extra Work Order No. 12 | \$63,525.29 |
| Furnish and Install 1000 Gallon Double Wall Fiber Glass Oil Water Separator at Charles River Dam, Boston | |
| Extra Work Order No. 13 | \$ 4,605.60 |
| Remove, Transport and Properly Dispose of Additional 19.19 Tons of Highly Contaminated Lead from Former MDC Central Service Facility, Cambridge | |

(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 002-007 - Furnish and Install 20,000 Gallon Underground Heating Oil Fuel Tank).
The Commission V O T E D: to approve Extra Work Order No. 12, in the amount of \$63,525.29.
The Commission further V O T E D: to approve Extra Work Order No. 13, in the amount of \$4,605.60.
3. Report of Messrs. Faucher, Brooks and Abounaja, March 20, recommending approval of Extra Work Orders as follows on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities -

| | |
|---|-------------|
| Extra Work Order No. 12 | \$63,525.29 |
| Furnish and Install 1000 Gallon Double Wall Fiber Glass Oil Water Separator at Charles River Dam, Boston | |
| Extra Work Order No. 13 | \$ 4,605.60 |
| Remove, Transport and Properly Dispose of Additional 19.19 Tons of Highly Contaminated Lead from Former MDC Central Service Facility, Cambridge | |

(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 002-007 - Furnish and Install 20,000 Gallon Underground Heating Oil Fuel Tank).
The Commission V O T E D: to approve Extra Work Order No. 12, in the amount of \$63,525.29.
The Commission further V O T E D: to approve Extra Work Order No. 13, in the amount of \$4,605.60.

The first part of the paper discusses the importance of maintaining accurate records of all transactions. It is essential for the business to have a clear and concise record of all income and expenses. This will allow the business to track its financial performance over time and identify areas for improvement. The second part of the paper discusses the importance of maintaining accurate records of all assets and liabilities. This will allow the business to track its net worth over time and identify areas for improvement. The third part of the paper discusses the importance of maintaining accurate records of all debts and obligations. This will allow the business to track its financial obligations over time and identify areas for improvement. The fourth part of the paper discusses the importance of maintaining accurate records of all taxes and other legal obligations. This will allow the business to track its financial obligations over time and identify areas for improvement. The fifth part of the paper discusses the importance of maintaining accurate records of all other financial information. This will allow the business to track its financial performance over time and identify areas for improvement.

1.

*Meeting of
H. C. 00
Commission
VOTED: 10
VOTE of 4.21.99
by changing
funding source
from 2490-0012
to 2490-0012-20
of 200,000.00
to 200,000.00
of 249,000.00.*

Report of Messrs. Faucher and Lenhardt, April 16, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-1986-D1A, for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities.

Estimated Cost - \$250,000.00

Duration - twenty four months.

Funding from Account No. 2490-0012.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P99-1986-D1A, for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities.

Action was taken upon the following matter relating to the Watershed Management Division:

2.

Report of Mr. McGinn and Ms. McGrath, February 26, submitting for approval Work Schedule, Project Summary, Project Justification, Scope of Services, Memorandum of Agreement and Master Grant Agreement for Contract No. WM98-093-X1R, for Wachusett Watershed Technical Assistance Program Town of Sterling - Master Grant Agreement - Wachusett Regional Household Hazardous Products Committee.

Mr. McGinn and Ms. McGrath further request authorization for the Director of Watershed Management to execute the Agreement between the Town of Sterling and the Commission and authorization for Commissioner Balfour to execute the Master Grant Agreement, with the Town of Sterling, on behalf of the Commission.

Master Grant Cost - \$25,000.00.

Time of Performance - February 1, 1999 thru June 30, 2000.

Account No. 2420-1400-TT-T04.

The Commission V O T E D: Approved as recommended by Mr. McGinn and Ms. McGrath in their report of February 26, 1999.

The Commission further V O T E D: authorization for the Director of Watershed Management to execute the Memorandum of Agreement between the Town of Sterling and the Commission.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Master Grant Agreement, with the Town of Sterling, on behalf of the Commission.

Action was taken upon the following matter relating to the Office of the General Counsel:

3.

Report of Messrs. Gray, McDonald and Jewett, April 15, requesting that pursuant to Article XXI of Contract No. PL82-1022-C1A, for Paul Revere Park, that liquidated damages, in the amount of \$91,000.00, be assessed against RHD Contracting for failure to complete the Contract within the specified time.

The Commission reserves all rights it may have under the Contract.

The Commission V O T E D: pursuant to Article XXI of Contract No. PL82-1022-C1A, for Paul Revere Park, that liquidated damages, in the amount of \$91,000.00, be assessed against RHD Contracting for failure to complete the Contract within the specified time. The Commission reserves all rights it may have under the Contract.

Action was taken upon the following Various Matters:

1. Report of Mrs. O'Brien and Mr. Driscoll, April 15, recommending approval and requesting authorization to advertise Project No. PL99-051-D1A, for Charles River Lakes District Mechanical Weed Harvesting Program - 1999.
Estimated Cost - \$150,000.00.
Time of Performance - June to December, 1999.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. PL99-051-D1A, for Charles River Lakes District Mechanical Weed Harvesting Program - 1999.
2. Report of Mr. Jewett, April 16, requesting that the Commission approve the request of Preferred Parking Company, Inc., the MDC's Permittee, for the Parking Lot Operation and Management Services at Nahant Beach Reservation, for a reduction of \$3,508.00, in its Permit fee, due to disruptions of the parking lot operation for a total of seven days in May, June and July of 1998.
(The disruptions were caused by resurfacing and restriping of the parking area).
The Commission V O T E D: Approved.
3. Report of Mr. Jewett, April 16, recommending approval of the selection of the Metropolitan Area Planning Council to perform services for Contract No. PL99-056-X1A, Lower Charles River Basin Stormwater Loads Modeling Program.
Mr. Jewett further requests authorization for Commission Balfour to execute the Contract on behalf of the Commission.
Compensation - \$50,000.00 - at the rate of \$25,000.00 per year.
Duration - twenty four months.
Account No. 2449-7350.
The Commission V O T E D: to approve the selection of the Metropolitan Area Planning Council to perform services for Contract No. PL99-056-X1A, Lower Charles River Basin Stormwater Loads Modeling Program.
The Commission further V O T E D: authorization for Commission Balfour to execute the Contract on behalf of the Commission.
4. Report of Mrs. O'Brien, April 20, recommending that the Commission approve the issuance of a Permit to Mr. William Carlstrom for the 1999 season to eel trap in the Charles River with the same terms and conditions as the 1997 and 1998 Permit, which was issued to Robert Kelly, and direct the Secretary to prepare and issue the Permit.
The Commission V O T E D: Approved as recommended by Mrs. O'Brien in her report of April 20, 1999.
The Commission further V O T E D: to direct Secretary Chisholm to prepare and issue the Permit.
5. Report of Mr. Brown and Miss Rodriguez, April 20, requesting approval of a Service Contract for Lifeguard Training and Certification, which provides for screening, lifeguard training and certification for young adults in the South and North Regions.

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April 21, 1999
(con.-)

Time for Performance - two years.

Cost - first year - not-to-exceed \$19,000.00.

second year - not-to-exceed \$30,900.00.

Account No. 2440-0010.

The Commission V O T E D: Approved.

Adjourned at 9:50 a.m., to meet at the Metropolitan District
Commission Headquarters Building, 20 Somerest Street, Boston,
Massachusetts, on Thursday, April 29, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Ninetieth (3890th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 29, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on April 15, 1999 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P99-1982-C1A, dated April 29, 1999, with E. A. Colangeli Construction Company, Inc., for Rehabilitation of the Hall Pool Bathhouse, Stoneham.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Mr. Faucher and Mrs. Graves-Jones, April 21, recommending approval of an Extension of Time from April 30, 1999 to May 31, 1999 and Revisions in Quantities as follows on Contract No. P98-1958-C1A, with Coviello Electric and General Contracting Co., Inc., for Reconstruction of Traffic Signal System: VFW Parkway at Corey Street, West Roxbury -
Item No. 751-200 - Plantable Soil Borrow \$1,500.00
Item No. 832-100 - Aluminum Warning Markers \$ 40.00
Item No. 859-200 - Reflectorized Drum with \$ 225.00
Flasher - Type C
Item No. 999-300 - Traffic Control Services \$3,500.00
Total - \$5,265.00

(At no increase in cost as the revisions will be offset by unused quantities in Item Nos. 202-000 - Manhole, 241-120 - 12 inch Reinforced Concrete Pipe, 508-000 - Granite Curb Type VA22 - Straight, 508-100 - Granite Curb Type VA22 - Curved and 701-000 - Cement concrete Sidewalk).

The Commission V O T E D: to approve an Extension of Time from April 30, 1999 to May 31, 1999, as recommended by Mr. Faucher and Mrs. Graves-Jones in their report of April 21, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of \$5,265.00.

3. Report of Messrs. Faucher and Sacco, April 5, recommending that the Commission ratify the action of Deputy Commissioner Faucher resulting in Revisions in Quantities and Extra Work Orders on Contract No. P98-1930-C1A, with J. F. White Contracting Co., for Controlled Dewatering and Related Work - Granite Rail Quarry, Quincy, as follows -

REVISIONS IN QUANTITIES

| | |
|--|-------------|
| Item No. 002-010 - Galvanized Chain Link Fence | \$46,620.00 |
| Item No. 004-020 - 4" PVC Electrical Conduit | \$ 870.00 |
| Item No. 004-030 - Power Cable 4/0 | \$ 632.00 |
| Item No. 004-040 - Power Cable #2 Bare Ground | \$ 8.00 |
| Item No. 007-010 - 12" PVC Pipe/Fittings | \$ 700.00 |
| Total - | \$48,830.00 |

THE [illegible] OF [illegible]

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[illegible] [illegible] [illegible] [illegible] [illegible]

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[illegible] [illegible] [illegible] [illegible] [illegible]

EXTRA WORK ORDERS

| | |
|---|-------------|
| Extra Work Order No. 1 | \$ 1,827.87 |
| Installation of Hay Bales | |
| Extra Work Order No. 2 | \$ 1,100.00 |
| Installation of a Monitored Security System | |
| Extra Work Order No. 3 | \$ 9,162.96 |
| Installation of a Wetlands Irrigation Pump | |
| Extra Work Order No. 4 | \$22,513.39 |
| Installation of Borehole Pumps | |

Total - \$34,604.22

(All at no increase in Contract cost as the revisions in quantities and the extra work will be offset by the deletion of Item No. 002-030 - Modify Existing Fence and unused quantities in Item No. 010-010 - Labor).

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher resulting in Revisions in Quantities and Extra Work Order Nos. 1, 2, 3 and 4, on Contract No. P98-1930-C1A.

The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of \$48,830.00.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$1,827.87.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$1,100.00.

The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$9,162.96.

The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$22,513.39.

1. Report of Messrs. Faucher and Lenhardt, April 22, recommending approval of the request of WES Construction Corp., to engage the services of the following sub-contractors on Contract No. PL97-044-C1A, for Pope John Paul II Park/Phase I -

American Engineering & Testing, Inc.

| | |
|-------------------------------|-------------|
| Item No. 1 - Site Preparation | \$ 5,000.00 |
|-------------------------------|-------------|

Foye & Letendre Landscaping, Inc.

| | |
|--|--------------|
| Item No. 22A & 22B - Loaming and Seeding | \$100,000.00 |
|--|--------------|

(At no additional cost to the Commission).

The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Doak, April 26, submitting for approval and execution Permit Agreement between the MDC and Slopes, Inc., d/b/a Blue Hills Ski Area, for a summer program.
The Commission V O T E D: Held Over.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, April 23, recommending award of the following five (5) Contract-Agreements for Open Order Contract No. RP99-001, for Professional Real Estate Appraisal Services - (Watershed Land Acquisition Program FY99) -

| <u>NAME</u> | <u>VALUE</u> | <u>ASSIGNMENTS</u> |
|--|--------------|--------------------|
| Reynolds Company 304 Victory Road Quincy, MA 02171 | \$21,500.00 | 3 |

| <u>NAME</u> | <u>VALUE</u> | <u>ASSIGNMENTS</u> |
|--|--------------|--------------------|
| Peter S. Emerson & Associates 29 Albion Street Wakefield, MA 01880 | \$18,000.00 | 4 |
| Meredith & Grew, Inc. 160 Federal Street Boston, MA 02110-1701 | \$22,000.00 | 4 |
| O'Connor Real Estate Assoc., Inc. 487 Franklin Street P.O. Box 1211 Westfield, MA 01086 | \$ 2,900.00 | 1 |
| Ellen Harding Anderson 20 Dana Road Petersham, MA 01366 Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission. Account No. 2421-9936. The Commission V O T E D: Approved. The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission. | \$17,750.00 | 3 |

1. Report of Mr. Jewett, April 26, recommending award of the following two (2) Contract-Agreements for Open Order Contract No. RP99-002, for Professional Real Estate Chapter 21E Study Services - (Park Land Acquisition Program FY99) -

| <u>NAME</u> | <u>VALUE</u> | <u>ASSIGNMENTS</u> |
|--|--------------|--------------------|
| Coneco Environmental 4 First Street Bridgewater, MA 02324 | \$ 9,855.00 | 9 |
| CDW Consultants, Inc. 11 Speen Street, Suite 119 Framingham, MA 01701 Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission. Account No. 2441-9960. The Commission V O T E D: Approved. The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission. | \$28,200.00 | 2 |

Action was taken upon the following matters relating to the Office of General Counsel:

2. Report of Mr. Gray, April 23, requesting authorization to expend an additional \$90,000.00 within this Fiscal Year on Contract No. RP99-001 - Open Order Contract - Appraisals, Title Examinations, Engineering and Related Services for Watershed Land Acquisition

in FY 1999, for costs related to the preparation of parcels targeted for watershed protection and for all purposes consistent with Sections 6 and 12 of chapter 36 of the acts of 1992 (Cohen Bill), as amended, and sections 2 and 63 of Chapter 15 of the acts of 1996 (the New Open Space Bond Bill), as amended.

Total Contract Funding - \$260,000.00.

Account Nos. 2421-9936 and 2421-8961.

The Commission V O T E D: authorization to expend an additional \$90,000.00 within this Fiscal Year on Contract No. RP99-001 - Open Order Contract - Appraisals, Title Examinations, Engineering and Related Services for Watershed Land Acquisition in FY 1999, as requested by Mr. Gray in his report of April 23, 1999.

1. Report of Mr. Gray, April 23, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.77 acres of land owned by Frank A. Bonacorso and Anthony P. Bonacorso, located in the town of Winthrop, Massachusetts, and to approve an award of damages in the amount of \$900,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and Chapter 79A. Account No. 2440-8960.

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3890th
April 29, 1999
(con.-)

The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.77 acres of land owned by Frank A. Bonacorso and Anthony P. Bonacorso, located in the town of Winthrop, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, April 29, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Winthrop in the County of Suffolk and Commonwealth of Massachusetts, namely:

A certain parcel of land, located at and numbered 134 Morton Street, lying on the northerly side of Morton Street, the easterly side of Read Street Extension, a paper street, and the westerly side of Douglas Street Extension, a paper street, and bounded on the north by marsh lands now or formerly of the Town of Winthrop, more particularly bounded and described as follows:

Beginning at a granite monument set in the northerly line of Morton Street, at the southwesterly corner of land now or formerly, of Thomas and Rita Kostinden, as conveyed to the Kostindens by George Costonis, by deed dated June 7, 1966, and recorded with Suffolk County Registry of Deeds in Book 8047, Page 18;

Thence N. 85° 35' 40" W., 309.15 feet, by the northerly line of Morton Street, to another granite monument set at a point of curvature;

Thence Northwesternly along the arc of a curve to the right, having a radius of 12.00 feet, an arc distance of 17.74 feet, said arc being subtended by a central angle of $84^{\circ} 43' 00''$, to a point of tangency at another granite monument set in the easterly line of Read Street Extension, a paper street;

Thence N. $00^{\circ} 52' 43''$ W., 176.76 feet, by the easterly line of the paper street, to a point of curvature;

Thence Northeasterly along the arc of a curve to the right, having a radius of 12.00 feet, an arc distance of 19.95 feet, said arc being subtended by a central angle of $95^{\circ} 17' 00''$, to a point of tangency, said point being in the southerly line of a parcel of marsh land now or formerly of the Town of Winthrop;

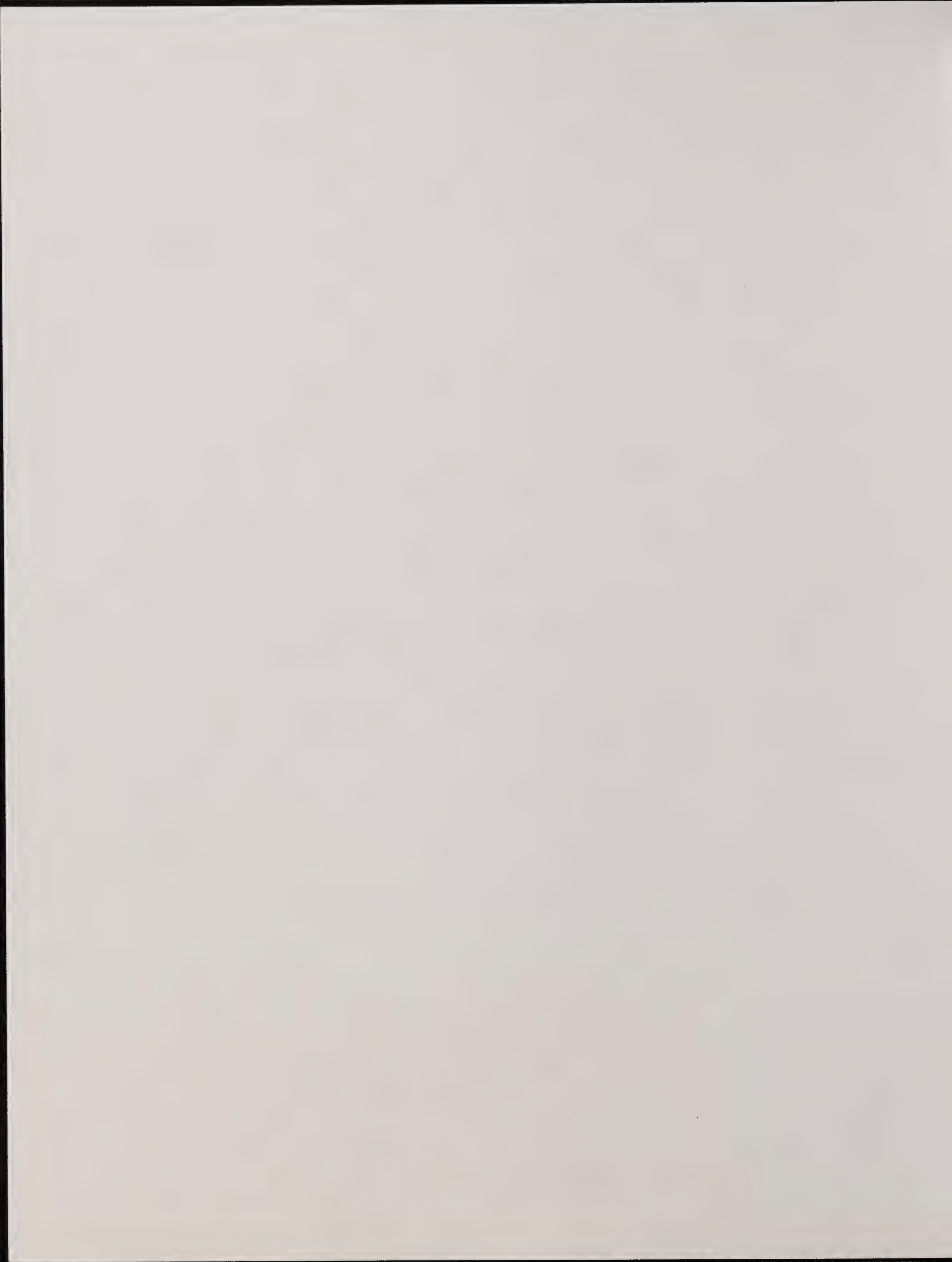
Thence S. $85^{\circ} 35' 40''$ E., 395.77 feet, by the land, now or formerly, of the Town of Winthrop, to a point of curvature;

Thence Southeasterly along the arc of a curve to the right, having a radius of 12.00 feet, an arc distance of 17.55 feet, said arc being subtended by a central angle of $83^{\circ} 47' 00''$, to a point of tangency, said point being in the westerly line of Douglas Street Extension, a paper street;

Thence S. $01^{\circ} 48' 40''$ E., 115.05 feet, by the westerly line of the paper street, to another granite monument set at the northeasterly corner of the abutting parcel first mentioned, land now or formerly of Thomas and Rita Kostinden;

Thence N. $86^{\circ} 02' 23''$ W., 94.79 feet, by the northerly line of land, now or formerly, of T. & R. Kostinden, to another granite bound set at the northwesterly corner of said abutting lot;

Thence S. $04^{\circ} 22' 02''$ W., 74.20 feet, by the westerly line of the last named abutter, to the first mentioned granite bound set in the northerly line of Morton Street, being the point and place of beginning.



The above premises, as described herein, are substantially as shown upon a plan entitled "Plot Plan Winthrop, Mass.," prepared by Joseph Francis Page, C.E., R.L.S., 217 Albany Street Boston, Mass., dated May 4, 1977, which plan is recorded with the Suffolk County Registry of Deeds in Book 8968, Page 426.

A later, and more definitive, unrecorded plan entitled "Plan of Land In Winthrop, Mass. Owner A. Bonacorso," prepared by David G. Sheehan, R.L.S., 16 Grove Street Tewksbury, MA, dated Dec. 12, 1979, was also used in the construction of the description set forth above. A copy of this later and more complete plan, showing a parcel area of 76,812 square feet, more or less, or 1.7634 acres, more or less, is on file with the Real Property Section of the Office of the General Counsel of the Metropolitan District Commission, at its Headquarters, located at 20 Somerset Street, Boston, MA.

The above described parcel is represented upon Winthrop Assessors Tax Map 60 as Lot 4, a parcel containing approximately 69,000 square feet.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Morton Street and/or Read Street Extension and/or Douglas Street Extension which may be held by the supposed owners as a result of their ownership of the above described property, and being the same premises described in the following deeds: a deed dated October 30, 1984, from Frank A. Bonocorso, Trustee of Morton Street Realty Trust, to Frank A. Bonocorso and Anthony P. Bonocorso, recorded with said Deeds in Book 11229, Page 156; a confirmatory deed dated May 16, 1985, from Frank A. Bonocorso, as Trustee and Individually, and from Anthony P. Bonocorso, Individually, to Frank A. Bonocorso and Anthony P. Bonocorso, recorded with said Deeds in Book 11623, Page 302; a deed dated April 1, 1998 from Frank A. Bonacorso and Anthony P. Bonacorso to Anthony J. Bonacorso, recorded with said Deeds in Book 22520, Page 345; a deed dated April 1, 1998, from Anthony J. Bonacorso to Frank A. Bonacorso and Anthony J. Bonacorso, recorded with said Deeds in Book 22520, Page 347; and a confirmatory deed dated July 1, 1998, from Anthony J. Bonacorso to Frank A. Bonacorso and Anthony P. Bonacorso, as tenants in common (to correct the erroneous middle initial of the second grantee in the above deed), recorded with said Deeds in Book 22677, Page 12.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission hereby grants the owners of the premises taken hereby, the limited right to access said premises and remove from same, or cause to be removed from same, any and all vehicles, boats, personalty, materials, and equipment being stored on said premises, for a period of four (4) months from the date of the recording of this order with the Suffolk County Registry of Deeds; provided, however, that at the end of this four-month period, such property remaining on said premises shall be deemed property of the Commonwealth of Massachusetts.

The concurrence of the Park and Recreation Commissioners of the Town of Winthrop, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS

AWARD

Frank A. Bonacorso and

\$ 900,000.00

Anthony P. Bonacorso

The Commission further V O T E D: to approve an award of damages in the amount of \$900,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and Chapter 79A.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Mr. Baratta, April 20, requesting that the Commission approve an Amendment to the Master Service Agreements for Police Services - Sewer Construction Project Holden and West Boylston, as follows -
 1. Extend the Master Service Agreement for Police Services with the Town of Holden from June 30, 2001 to June 30, 2003, and reallocate funds by fiscal year.
 2. Extend the Master Service Agreement for Police Services with the Town of West Boylston, from June 30, 2001 to June 30, 2003, and reallocate funds by fiscal year.

Mr. Baratta further requests authorization for Commissioner Balfour to execute the Amendments on behalf of the Commission. The Commission V O T E D: approval to extend the Master Service Agreement for Police Services with the Town of Holden from June 30, 2001 to June 30, 2003, and reallocate funds by fiscal year. The Commission further V O T E D: approval to extend the Master Service Agreement for Police Services with the Town of West Boylston, from June 30, 2001 to June 30, 2003, and reallocate funds by fiscal year.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendments on behalf of the Commission.

Adjourned at 9:35 a.m., to meet on Thursday, May 6, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Ninety First (3891st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 6, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on April 21, 1999 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P99-1991-M1A, dated May 6, 1999, with Hi-Way Safety Systems, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC.
2. Contract No. P99-1996-M1A, dated May 6, 1999, with Allied Weatherproofing Company, Inc., for Service and Repairs to all MDC Swimming Pools and Filtration Systems within the Metro Parks System.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Jackson, March 26, requesting that the Commission ratify the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 1, for reinforcing concrete curbs surrounding the playground by installing steel rods, at a cost of \$13,904.90, on Contract No. P97-1870-C3A, with D & R Contracting/MDR Construction Co., Inc., for Reconstruction of Richard T. Artesani Playground, Brighton.
Funding from Account No. 2440-8952.
The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 1, on Contract No. P97-1870-C3A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$13,904.90.
4. Report of Messrs. Faucher, Brooks and Haider, April 28, recommending approval of a revision in quantity, on Item No. 002-010, Materials and Parts, in the amount of \$2,250.00, on Contract No. P98-1964-M1A, with P. J. Kennedy and Sons, Inc., for Service and Maintenance to HVAC Systems at Various Flood Control and Navigational Sites.
(At no increase in cost as the revision will be offset by unused quantities in Item No. 001-020 - Overtime).
The Commission V O T E D: Approved.
5. Report of Messrs. Faucher, Brooks and Haider, April 28, recommending approval of a revision in quantity, on Item No. 001-030, Materials and Parts, in the amount of \$2,940.00, on Contract No. P98-1965-M1A, with The Entwistle Company, for Service and Maintenance to Hydraulic Power Systems at Various Flood Control and Navigational Sites.

(At no increase in cost as the revision will be offset by unused quantities in Item No. 001-020 - Overtime).

The Commission V O T E D: Approved.

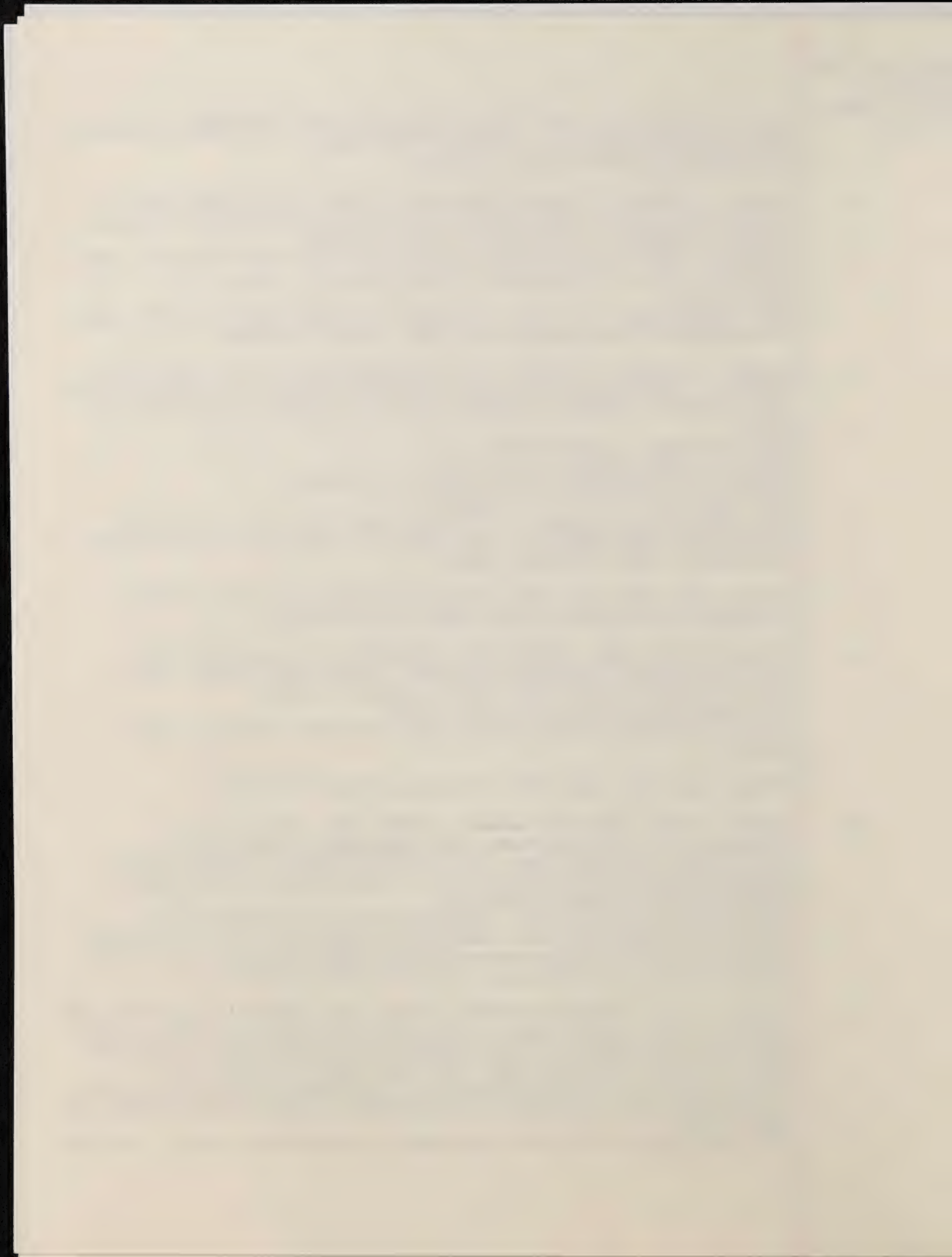
1. Report of Messrs. Faucher and Sacco, April 29, on bids for Installation of Pre-Purchased Bleacher Stand Materials, Hormel Stadium, Medford, Contract No. P99-1999-C1B.
(Messrs. Faucher and Sacco recommend acceptance of the only bid received, that of LedgeWood Construction Co., Inc., of \$69,000.00).
The Commission V O T E D: to accept the only bid received, that of LedgeWood Construction Co., Inc., of \$69,000.00.
2. Report of Messrs. Faucher and Gearheart, April 27, requesting approval and authorization to advertise Project No. P98-1959-M1A, for Repairs to Tivoli Comfort Station and Bernie King Pavilion, Hull.
Budgeted Cost - \$31,250.00.
Time for Performance - two weeks
Funding is available in Account No. 2440-8952.
The Commission V O T E D: Approval.
The Commission further V O T E D: authorization to advertise Project No. P98-1959-M1A, for Repairs to Tivoli Comfort Station and Bernie King Pavilion, Hull.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

3. Report of Mr. Doak, April 26, submitting for approval and execution Permit Agreement between the MDC and Slopes, Inc., d/b/a Blue Hills Ski Area, for a summer program.
The Commission V O T E D: Held Over.
Associate Commissioner Elkort abstained from voting on this matter.

Action was taken upon the following Various Matters:

4. Report of Mrs. Overton Bussell, April 23, requesting authorization for the Bureau of Industrial Standards and Compliance, Archives Unit, to transfer certain records to the Massachusetts State Archives and to the Massachusetts State Library for permanent retention.
The Commission V O T E D: authorization for the Bureau of Industrial Standards and Compliance, Archives Unit, to transfer certain records to the Massachusetts State Archives and to the Massachusetts State Library for permanent retention.
5. Report of Mrs. Overton Bussell, April 27, requesting approval and execution of a Memorandum of Agreement between the Metropolitan District Commission and the Commonwealth Zoological Corporation d/b/a Zoo New England (ZNE) that will allow the sum of \$1,000.000.00, to be transferred to the Commonwealth Zoological Corporation, for continued improvements to the Franklin Park and Stone Zoos.
The Commission V O T E D: Approved as requested by Mrs. Overton



Bussell, in her report of April 27, 1999.

The Secretary then submitted for signature Memorandum of Agreement, dated May 6, 1999, between the Metropolitan District Commission and the Commonwealth Zoological Corporation d/b/a Zoo New England (ZNE) which was signed by the Commissioner and four Associate Commissioners, allowing the sum of \$1,000.000.00, to be transferred to the Commonwealth Zoological Corporation, for continued improvements to the Franklin Park and Stone Zoos.

1. Report of Mrs. O'Brien, April 30, requesting approval to seek proposals for Consultant Services for Project No. PL99-059-D1A, for Restoration of Historic Landings, Charles River Basin Esplanade, Boston.
Estimated Cost - \$35,000.00.
Estimated Duration - 10 weeks.
Account No. 2440-0010.
The Commission V O T E D: Approval to seek proposals for Consultant Services for Project No. PL99-059-D1A, for Restoration of Historic Landings, Charles River Basin Esplanade, Boston, as requested by Mrs. O'Brien in her report of April 30, 1999.
2. Report of Mr. Jewett, April 30, on behalf of the Consultant Selection Committee requesting approval of the selection of Camp, Dresser & McKee, Inc., for Contract No. PL93-023-S2A, for Due Diligence Investigation - Neponset River Trail, Dorchester/Milton.
Estimated Time for Performance - twelve weeks from Notice to Proceed.
Cost - not-to-exceed \$75,000.00, to be paid on a predetermined rate schedule.
Funding from Account No. 2440-8961.
The Commission V O T E D: to approve the selection of Camp, Dresser & McKee, Inc., for Contract No. PL93-023-S2A, for Due Diligence Investigation - Neponset River Trail, Dorchester/Milton.

Action was taken upon the following matter relating to the Office of General Counsel:
3. Report of Mr. Gray, Mr. Guidoboni and Mrs. O'Brien, May 3, requesting that the Commission adopt a Statement of Policy for the issuance of permits for the construction, installation and use of telecommunications cables and conduits, in order to authorize the immediate issuance of permits based upon a reasonable fee structure, for the access and use of property under the care and control of the Commission, and the subsequent promulgation of regulations incorporating same.
The Commission V O T E D: to adopt a Statement of Policy for the issuance of permits for the construction, installation and use of telecommunications cables and conduits, in order to authorize the immediate issuance of permits based upon a reasonable fee structure, for the access and use of property under the care and control of the Commission, and the subsequent promulgation of regulations incorporating same.
Associate Commissioner Carr did not participate in discussion nor vote on this matter.

Adjourned at 9:45 a.m., to meet on Thursday, May 13, 1999, at 9:00 a.m.


S E C R E T A R Y

Record of the Three Thousand Eight Hundred and Ninety Second (3892nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 13, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on April 29, 1999 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Amendment, dated May 13, 1999, to Contract-Agreement No. P87-1449-M5A, with G & L Laboratories, for Analytical and Water Quality Testing at MDC Facilities.
2. Contract No. P97-1871-C2B, dated May 13, 1999, with S. B. General Contractors, Inc., for Construction of a New Comfort Station at Richard T. Artesani Playground.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, DiPietro and Galvin, April 28, requesting that the Commission Amend its vote of October 22, 1998, approving Contract No. P99-1979-D1A, for Rehabilitation of the Nantasket Beach Seawall, Hull, by changing the Account No. from 2440-8885 to 2440-8802.
The Commission V O T E D: to Amend its vote of October 22, 1998, approving Contract No. P99-1979-D1A, for Rehabilitation of the Nantasket Beach Seawall, Hull, by changing the Account No. from 2440-8885 to 2440-8802.
4. Report of Messrs. Faucher and Soroka, May 4, recommending approval of a revision in quantities on Item No. 006-020 - Vehicle Signal Head Single Section 12" - at a cost of \$3,600.00, on Contract No. P98-1927-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal Systems and Control Systems, Charles River Basin Districts.
(At no additional Contract cost as the revision will be offset by unused quantities in Item Nos. 003-020 - Traffic Signal Knockdown Repair Two Units, 013-010 - Storage Room and Engineer's Office and 015-009 - Traffic Signal Cable Nine Conductor 110 Ft.).
The Commission V O T E D: Approved.
5. Report of Messrs. Faucher and Machado, May 5, recommending approval of revisions in quantities on Contract No. P97-1919-C1A, with DeLucca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System, as follows -

| | |
|--------------------------------------|--------------------|
| Item No. 063-010 | \$22,200.00 |
| B.V.C. - C.L.F. 10 Ft. High | |
| Item No. 082-010 | <u>\$17,166.84</u> |
| B.V.C. - C.L.F. Backstop 12 Ft. High | |
| Total - | \$39,366.84 |

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the transparency and accountability of the organization. This section also outlines the various methods used to collect and analyze data, ensuring that the information is reliable and up-to-date.

2. The second part of the document focuses on the financial aspects of the organization. It provides a detailed overview of the budget, including the projected income and expenses for the upcoming year. This section also discusses the various financial risks and how they are being managed to ensure the organization's financial stability.

3. The third part of the document addresses the operational aspects of the organization. It describes the various processes and procedures that are in place to ensure the efficient and effective delivery of services. This section also discusses the various challenges that the organization is facing and how they are being addressed.

4. The fourth part of the document discusses the human resources aspect of the organization. It provides an overview of the current staff levels and the various training and development programs that are in place. This section also discusses the various challenges that the organization is facing in terms of recruitment and retention of staff.

5. The fifth part of the document discusses the marketing and public relations aspects of the organization. It provides an overview of the various marketing campaigns and public relations activities that are being undertaken. This section also discusses the various challenges that the organization is facing in terms of reaching its target audience and building its brand.

6. The sixth part of the document discusses the legal and regulatory aspects of the organization. It provides an overview of the various laws and regulations that the organization is subject to and how they are being managed. This section also discusses the various challenges that the organization is facing in terms of compliance with these laws and regulations.

7. The seventh part of the document discusses the environmental and social aspects of the organization. It provides an overview of the various environmental and social issues that the organization is facing and how they are being addressed. This section also discusses the various challenges that the organization is facing in terms of managing its environmental and social impact.

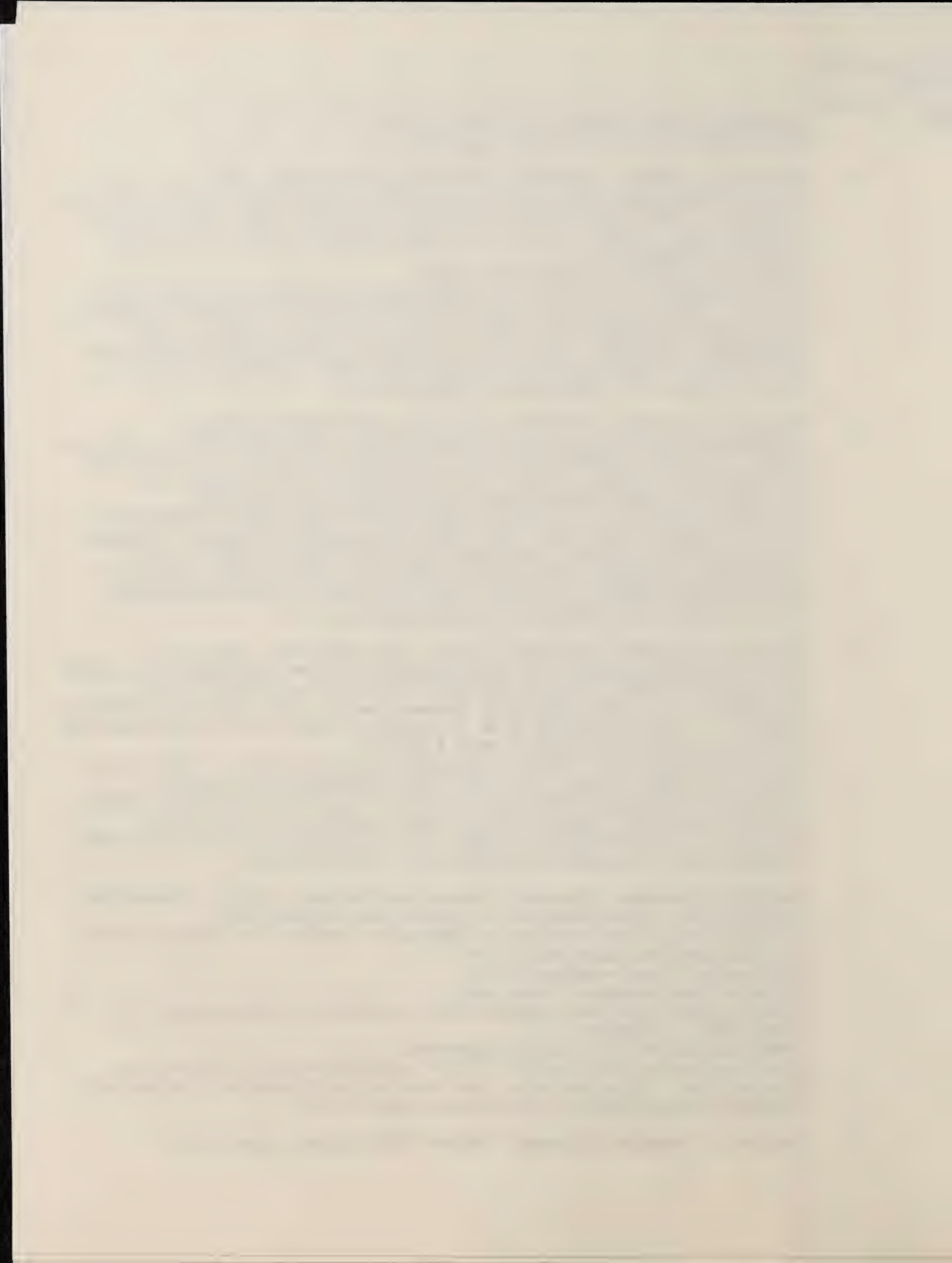
8. The eighth part of the document discusses the overall performance of the organization. It provides an overview of the various key performance indicators (KPIs) that are being used to measure the organization's performance. This section also discusses the various challenges that the organization is facing in terms of achieving its goals and objectives.

9. The ninth part of the document discusses the future of the organization. It provides an overview of the various strategic initiatives that are being undertaken and how they are expected to impact the organization's performance. This section also discusses the various challenges that the organization is facing in terms of implementing these initiatives.

10. The tenth part of the document discusses the conclusion of the report. It summarizes the key findings of the report and provides recommendations for the future. This section also discusses the various challenges that the organization is facing in terms of implementing these recommendations.

(Funding from Account No. 2440-0010).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Carrigan and Machado, May 7, recommending approval of an extension of time from May 7, 1999 to June 30, 1999, on Contract No. P97-1918-C1A, with D & R General Contracting Company, Inc., for Repairing/Replacing Bituminous Concrete Sidewalks.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from May 7, 1999 to June 30, 1999, as recommended by Messrs. Faucher, Carrigan and Machado in their report of May 7, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
2. Report of Messrs. Faucher, Carrigan and Machado, May 7, recommending approval of an extension of time from May 7, 1999 to June 30, 1999, on Contract No. P97-1920-C1A, with D & R General Contracting Company, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District.
The Commission V O T E D: to approve an extension of time from May 7, 1999 to June 30, 1999, as recommended by Messrs. Faucher, Carrigan and Machado, in their report of May 7, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
3. Report of Messrs. Faucher, Brooks and Martinez, April 23, recommending approval of an extension of time from March 10, 1999 to May 28, 1999, on Contract No. P99-1972-C1A, with T-Ford Company, Inc., for Utilities Connection for the Temporary Outdoor Peter J. Kelly Skating Rink in Jamaica Plain, due to the need to perform additional work at the facility.
The Commission V O T E D: to approve an extension of time from March 10, 1999 to May 28, 1999, as recommended by Messrs. Faucher, Brooks and Martinez in their report of April 23, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
4. Report of Messrs. Faucher, Brooks and Haider, May 5, requesting approval and authorization to advertise Project No. P99-2004-M1A, for Service to Hydraulic Systems at Various Flood Control and Navigational Sites.
Estimated Cost - \$52,000.00.
Time of Performance - one year.
(Contingent upon the availability of funds in Account No. 2440-0010 - FY2000).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-2004-M1A, for Service to Hydraulic Systems at Various Flood Control and Navigational Sites.
5. Report of Messrs. Faucher, Brooks and Haider, April 30,



recommending approval of a revision in quantities on Item No. 001-010 - Material and Parts - at a cost of \$9,810.00, on Contract No. P98-1966-M2A, with Inner Space Services, Inc., for Service to Underwater Structures at Various Flood Control and Navigational Sites.

(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 001-010 - Diving Services).

The Commission V O T E D: Approved.

Report of Messrs. Faucher, Brooks and Haider, May 5, requesting approval and authorization to advertise Project No.

P92-2005-M1A, for Maintaining HVAC Systems at Various MDC Facilities within the Metro Park System.

Estimated Cost - \$160,000.00 for the two year project.

FY2000 - \$80,000.00.

FY2001 - \$80,000.00.

Contingent upon availability of funds in Account No. 2440-0010 for FY2000 and FY2001.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P92-2005-M1A, for Maintaining HVAC Systems at Various MDC Facilities within the Metro Park System.

1. Report of Messrs. Faucher, Brooks and Haider, May 5, requesting approval and authorization to advertise Project No. P99-2003-M1A, for Service to Underwater Structures at Various Flood Control and Navigational Sites.
Estimated Cost - \$68,000.00 - contingent upon availability of funds in Account No. 2440-0010 for FY2000.
Time for Performance - one year.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-2003-M1A, for Service to Underwater Structures at Various Flood Control and Navigational Sites.
2. Report of Messrs. Faucher, Brooks and Haider, May 5, requesting approval and authorization to advertise Project No. P99-2002-M1A, for Maintaining of HVAC Systems at Various Flood Control and Navigational Sites.
Estimated Cost - \$53,000.00 - contingent upon availability of funds in Account No. 2440-0010 for FY2000.
Time for Performance - one year.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-2002-M1A, for Maintaining of HVAC Systems at Various Flood Control and Navigational Sites.
3. Report of Mr. Faucher and Mrs. Pomorska, April 28, recommending approval of a revision in quantities on Item No. 002-010 - Materials and Components - at a cost of \$25,192.00, on Contract No. P98-1926-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts.
Funding from Account No. 2490-0009.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

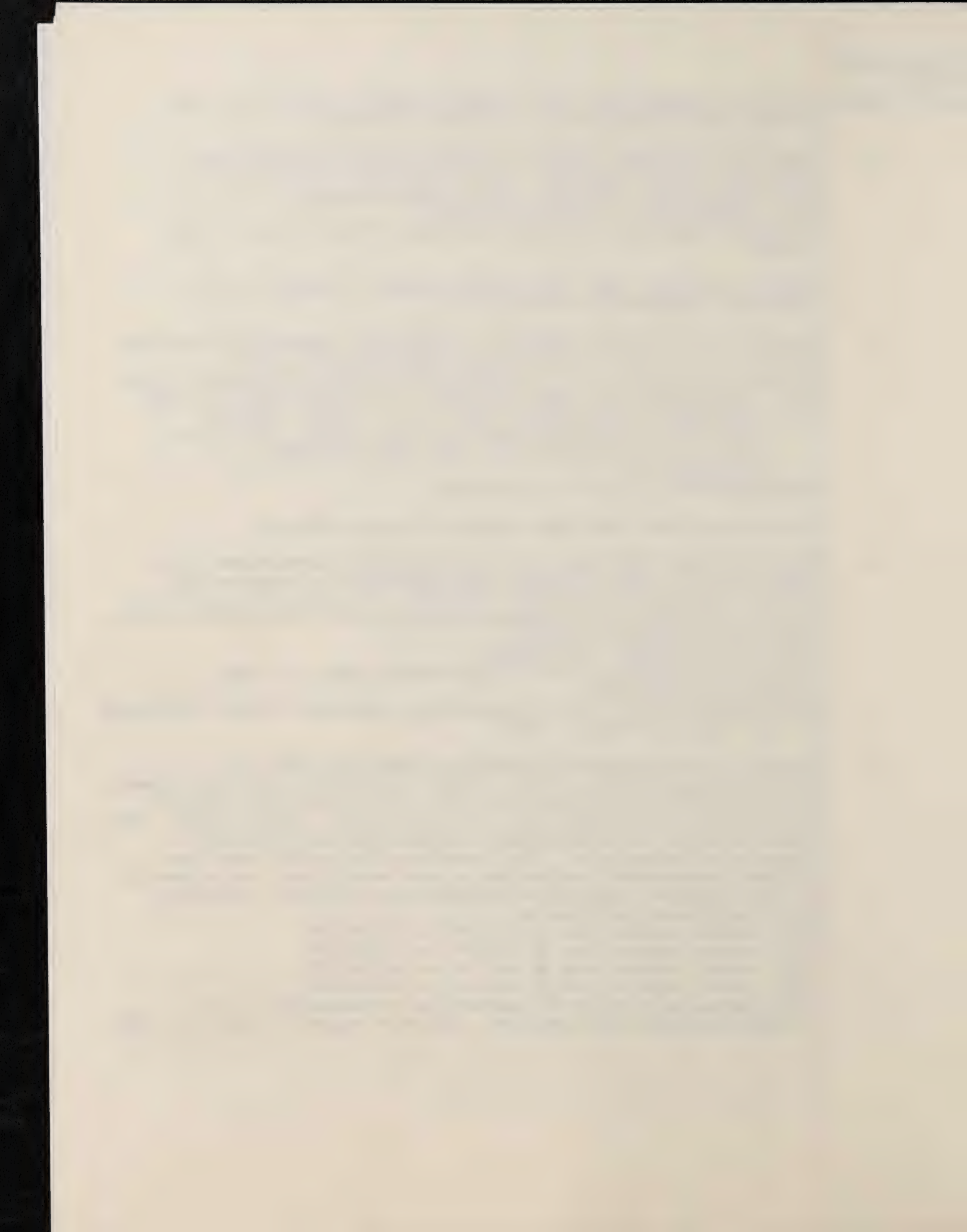
1. Report of Mr. Doak, April 26, submitting for approval and execution Permit Agreement between the MDC and Slopes, Inc., d/b/a Blue Hills Ski Area, for a summer program.
The Commission V O T E D: Held Over.
Associate Commissioner Elkort abstained from voting on this matter.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Mr. McGinn, April 22, requesting approval of Amendment No. 4, as follows, on Contract No. WM96-076-S1A, with Berkshire-Pioneer R, C & D, for Private Forest Management Plans -
(a) An extension of time from June 30, 1999 to June 30, 2000.
(b) Modification of payment rate - the current funding allotted for the Contract will not change, but will be paid at a revised rate as outlined in amended Attachment B.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

3. Report of Miss Rodriguez, May 7, requesting procurement of a Contract to provide training and certification services to prepare approximately 56 pool Managers, Assistant Managers and related personnel in swimming pool operations as required by the Department of Public Health.
Cost not-to-exceed - \$10,000.00.
Time of Performance - to be completed by June 11, 1999.
Account No. 2440-0010.
The Commission V O T E D: Approved as requested by Miss Rodriguez in her report of May 7, 1999.
4. Report of the Concession Selection Committee, May 10, recommending approval of the request of John D. Tirabassi, Owner of All In The Family Pushcarts, for a reduction from two to a single push cart on William J. Day Boulevard, South Boston. The exact location to be determined by the Regional Assistant Director of Recreation. The Concession Selection Committee further recommends a reduction in the Permit fee, due primarily to the impending opening of the Beachside Cafe at the Carson Beach Bathhouse, as follows:
1999 Summer Season from \$5,600.00 to \$2,800.00.
2000 Summer Season from \$5,700.00 to \$2,850.00.
2001 Summer Season from \$5,800.00 to \$2,900.00.
2002 Summer Season from \$5,900.00 to \$2,950.00.
The Commission V O T E D: Approved as recommended by the Concession Selection Committee, in their report of May 10, 1999.



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Report of Mr. Jewett, May 10, requesting approval of the selection of Dufresne-Henry, Inc., for Contract No. P99-1995-D1A, for Evaluation and Modification of Exhaust Stacks, Charles River Dam, Boston.

Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission. Compensation - not-to-exceed \$45,000.00, paid on a cost plus fixed fee basis.

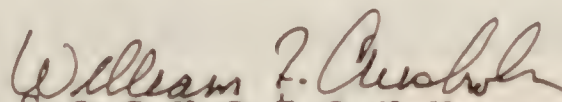
Time for Performance - nine months.

Account No. 2440-2503.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

Adjourned at 9:50 a.m., to meet on Thursday, May 20, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Ninety Third (3893rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 20, 1999 at 9:00 a.m.

Present, Acting Commissioners Carr and Associate Commissioners Rollins and Sheppard.

The Records of the Commission Meeting held on May 6, 1999 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Acting Commissioner and two Associate Commissioners:

1. Contract No. WM98-097-M3P, dated May 20, 1999, with Arelllo, Inc., for Sudbury Reservoir Tributary Tree Planting.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Lenhardt, May 10, recommending approval of the request of WES Construction, General Contractor, on Contract No. PL97-044-C1A, for Pope John Paul II Park/Phase I, Neponset Reservation, to increase the value of the work to be performed by the sub-contractor, Steelco Chain Link Fence Erecting Co., Inc., from \$15,000.00 to \$75,000.00, for additional gate and fence work.
(At no increase in Contract cost).
The Commission V O T E D: Approval to increase the value of the work to be performed by the sub-contractor, Steelco Chain Link Fence Erecting Co., Inc., from \$15,000.00 to \$75,000.00, for additional gate and fence work, on Contract No. PL97-044-C1A.
3. Report of Messrs. Faucher and Lenhardt, May 7, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P84-1276-C1A, Repairs to Cambridge Viaduct, Cambridge.
Estimated Cost - \$1,500,000.00.
Time for Performance - estimated at twelve months.
Account No. 2490-0017.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P84-1276-C1A, Repairs to Cambridge Viaduct, Cambridge.
4. Report of Messrs. Faucher and Lenhardt, May 11, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P93-1672-C4A, for Structural Repairs to the First Street Drawbridge, Cambridge.
Estimated Cost - \$500,000.00.
Time for Performance - estimated at four months.
Account No. 2490-0017.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise

Project No. P93-1672-C4A, for Structural Repairs to the First Street Drawbridge, Cambridge.

1. Report of Mr. Faucher and Mrs. Graves Jones, May 3, recommending the following on Contract No. P98-1924-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC -
 - (a) That work be accepted as completed as of March 31, 1999.
 - (b) That reserve, in the amount of \$17,646.00, be approved for payment.
 - (Basis of Award - \$287,330.00)
 - (Amount to Date - \$352,920.07)
 - (Contract Performance Rating - 4.85)
 - (EEO Compliance - 4.00)The Commission V O T E D: that the work of Markings, Inc., Contractor under Contract No. P98-1924-M1A, be and hereby is accepted as completed as of March 31, 1999.
The Commission further V O T E D: to approve release of reserve, in the amount of \$17,646.00, for payment.
2. Report of Messrs. Faucher and McCalla, May 11, recommending approval of a revision in quantities, on Item No. 6 - Materials, Components, Parts and Equipment - at a cost of \$20,000.00, on Contract No. P98-1961-M1A, with Coviello Electric and General Contracting Co., Inc., for Electrical Electronic Sound System Maintenance.
Account No. 2440-0010.
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher and Jackson, May 6, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-2020-C1A, for Landscape Improvements at Bellevue Hill, West Roxbury.
Estimated Cost - \$26,500.00.
Time for Performance - three months.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-2020-C1A, for Landscape Improvements at Bellevue Hill, West Roxbury.
4. Report of Messrs. Faucher and Jackson, May 10, recommending approval of a revision in quantities on Item No. 000-018 - Cherry Trees - at a cost of \$10,000.00, on Contract No. P92-1628-C8A, with Greenscape Land Design, Inc., for 1999 Parkway Landscape Improvements.
Account No. 2448-0052.
The Commission V O T E D: Approved.
5. Report of Messrs. Faucher, Carrigan and Machado, May 10, on bids for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area, Contract No. P99-2017-C1A.
(Messrs. Faucher, Carrigan and Machado, recommend acceptance of the lowest bid received, that of D & R General Contracting

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Inc./MDR Construction Company, Inc., of \$1,723,185.84).

They further request execution of the Contract.

The Commission V O T E D: to accept the lowest bid received, that of D & R General Contracting Inc./MDR Construction Company, Inc., of \$1,723,185.84.

The Secretary then submitted for signature Contract No.

P99-2017-C1A, dated May 20, 1999, with D & R General Contracting Inc./MDR Construction Company, Inc., which was signed by Acting Commissioner Carr and two Associate Commissioners.

1. Report of Messrs. Faucher, Carrigan and Machado, May 11, recommending approval of a revision in quantity on Item No. 023-010 - Remove and Reset Single Leaf Closure Gate - at a cost of \$1,125.00, on Contract No. P97-1919-C1A, with DeLucca Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 085-010 - Wide Angle Barrier Delineator for SS Guard rail).
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher and Sacco, May 7, on bids for Master Service Agreement for Emergency Standby for Bridges Throughout the Metropolitan District, Contract No. P99-1989-C1A.
(Messrs. Faucher and Sacco recommend that the Commission vote to establish a Master Service Agreement list of the three lowest bidders, as follows - SPS New England, Inc. of \$683,725.00 - N.E.L. Corporation of \$796,495.00 and M.I.G. Corporation of \$896,575.00).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Sacco in their report of May 7, 1999.
3. Report of Messrs. Faucher, Carrigan and Machado, May 14, on bids for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan Area, Contract No. P99-2018-C1A.
(Messrs. Faucher, Carrigan and Machado recommend acceptance of the lowest bid received, that of D & R General Contracting, Inc./MDR Construction Company, Inc., of \$625,812.48).
They further request execution of the Contract.
The Commission V O T E D: to accept the lowest bid received, that of D & R General Contracting, Inc./MDR Construction Company, Inc., of \$625,812.48.
The Secretary then submitted for signature Contract No. P99-2018-C1A, dated May 20, 1999, with D & R General Contracting, Inc./MDR Construction Company, Inc., which was signed by Acting Commissioner Carr and two Associate Commissioners.
4. Report of Mrs. Overton-Bussell, April 30, requesting approval to advertise Project No. P95-1804-C1A, for Dorchester Shores Beaches Restoration Project (Savin Hill, Malibu and Tenean Beaches).
Estimated Cost - \$4,000,000.00
Construction - eighteen months.
Account No. 2440-8956.

The Commission V O T E D: approval to advertise Project No. P95-1804-C1A, for Dorchester Shores Beaches Restoration Project (Savin Hill, Malibu and Tenean Beaches).

1. Report of Messrs. Faucher, Brooks and Mayhew, May 10, on bids for Porcelain Enamel Joint Repairs at Charles River Dam, Boston, Contract No. P99-1993-C1A.
(Messrs. Faucher, Brooks and Mayhew recommend acceptance of the only bid received, that of E. A. Colangeli Construction Company, Inc., of \$73,480.00).
The Commission V O T E D: to accept the only bid received, that of E. A. Colangeli Construction Company, Inc., of \$73,480.00.

2. Report of Messrs. Faucher and Machado, May 12, recommending approval of revisions in quantities on Contract No. P97-1918-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Locations Throughout the Metropolitan Area, as follows -

| | |
|--|-------------|
| Item No. 001-010 | |
| Unclassified Excavation - | \$ 5,160.00 |
| Item No. 003-010 | |
| Gravel Borrow - | \$ 1,514.04 |
| Item No. 004-010 | |
| Loam Borrow - | \$ 2,665.88 |
| Item No. 005-010 | |
| Catch Basins and Manholes - | \$ 4,000.00 |
| Item No. 008-010 | |
| Utility Boxes Adjusted to Grade - | \$ 500.00 |
| Item No. 009-010 | |
| Curbing or Edging Removed and Disposed of | \$ 120.00 |
| Item No. 010-010 | |
| Granite Edgestone Remove and Reset - | \$12,040.00 |
| Item No. 011-010 | |
| New Granite Edgestone Type VA4-6"x 18" Straight | \$ 1,750.00 |
| Item No. 013-010 | |
| Granite Corner Blocks Removed and Reset - | \$ 300.00 |
| Item No. 014-010 | |
| New Granite Corner Blocks 2' Radius - | \$ 200.00 |
| Item No. 015-010 | |
| Pavement Trimming - | \$ 2,580.00 |
| Item No. 016-010 | |
| Cement Concrete In Front of Edgestone - | \$ 1,376.00 |
| Item No. 019-010 | |
| Cement Concrete Sidewalk 6" thick with welded wire mesh | \$25,201.88 |
| Item No. 020-010 | |
| Pedestrian Ramps - | \$ 2,000.00 |
| Item No. 021-010 | |
| Bituminous Concrete For Sidewalks, Driveways, Patching, Small Parking Lots, and Sport Courts | \$ 7,880.95 |
| Item No. 022-010 | |
| Bituminous Tack Coat - | \$ 75.00 |

Item No. 024-010
Grading, Liming, Fertilizing and Seeding \$ 622.00
Item No. 027-010
Traffic Control Services - \$ 7,500.00
TOTAL = \$75,485.75

Funding from Account No. 2440-0010.

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Brooks and Gearheart, May 17, recommending approval of a Master Service Agreement with R. Mullen & Associates, for Various Repairs to Tivoli Comfort Station and Bernie King Pavilion Nantasket Beach, Hull, as follows -

Item No. 001 \$ 4,992.50

Replace Toilet and Urinal Partitions -
Tivoli Comfort Station.

Item No. 002 \$ 4,992.50

Repair and Replace Damaged Portion of
Asphalt Shingle Roof, Tivoli Comfort Station

Item No. 003 \$ 9,975.00

Replace Dance Floor and Band Stand,
Install Wind Breaks, Level Concession Stand
Floor - Bernie King Pavilion

Total Cost - \$19,960.00

Time for Performance - three to four weeks from Notice to Proceed.
Account No. 2440-8952.

The Commission V O T E D: Approved as recommended by Messrs.
Faucher, Brooks and Gearheart in their report of May 17, 1999.

Action was taken upon the following matter relating to the
Recreational Facilities and Programs Division:

2. Report of Mr. Doak, April 26, submitting for approval and execution Permit Agreement between the MDC and Slopes, Inc., d/b/a Blue Hills Ski Area, for a summer program.
Acting Director of Reservations and Historic Sites Division (RHS), Peter Church, explained that control of the Blue Hills Ski Area was recently transferred from Recreational Facilities and Programs Division (RFP) to the (RHS) Division.
As a result of the transfer, some minor changes were made to the original concession Permit-Agreement as submitted by RFP.
Mr. Church then outlined the changes made to the Permit-Agreement.
Acting Commissioner Carr asked if Slopes, Inc., is up to date on payments to the Town of Canton and various utility companies, which provide services for Slopes, Inc., d/b/a/ Blue Hills Ski Area.
Mr. Church stated that he was not sure. However, he explained, he will look into the matter.
Acting Commissioner Carr moved for approval and execution of the Permit Agreement with Slopes, Inc., d/b/a/ Blue Hills Ski Area, contingent upon Slopes, Inc., d/b/a/ Blue Hills Ski Area, is and remains in good standing on all payments to utility companies and to the Town of Canton.
The Commission V O T E D: Approved as moved by Acting

Commissioner Carr. (with aforementioned stipulations).
The Secretary then submitted for signature Permit Agreement, dated May 13, 1999, between the MDC and Slopes, Inc., d/b/a Blue Hills Ski Area, which was signed by Acting Commissioner Carr and two Associate Commissioners.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, May 5, requesting approval of Amendment No. 2, to Contract No. WM95-085-D1A, with GZA GeoEnvironmental, Inc., for Design and Construction Services, Boat Cove, Wachusett Reservoir, which increases the upset limit by a sum of \$21,271.00 and extends time of performance from August 31, 1999 to November 30, 1999, to allow for construction services.
Account No. 2420-1400.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, May 13, requesting that the Commission Amend the vote of April 2, 1998, which approved the selection of GZA GeoEnvironmental, Inc., for Contract No. WM96-010-S1A, Inspection of Division of Watershed Management Dams, by increasing estimated compensation from \$65,000.00 to \$72,600.00, an increase of \$7,600.00, to be paid on a cost plus fixed fee basis.
Funding from Account No. 2420-8881.
The Commission V O T E D: to Amend the vote of April 2, 1998, which approved the selection of GZA GeoEnvironmental, Inc., for Contract No. WM96-010-S1A, Inspection of Division of Watershed Management Dams, by increasing estimated compensation from \$65,000.00 to \$72,600.00, an increase of \$7,600.00, to be paid on a cost plus fixed fee basis, as requested by Mr. Jewett in his report of May 13, 1999.
3. Report of Messrs. Jewett and Kelter, May 14, requesting approval and execution of a contract with the City of Malden to Conduct an Assessment of Flood Damage to Pine Brooks Park and Forestdale Cemetery, as authorized and directed by a provision in Chapter 194 of the Acts of 1998, section 2, Account No. 2440-0010.
Cost - not less than \$51,000.00,
Completion required by June 30, 1999.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract, dated May 20, 1999, with the City of Malden, which was signed by Acting Commissioner Carr and two Associate Commissioners.
4. Report of the Concession Selection Committee, May 17, recommending award of a Permit for excursion and charter boat service, on the Charles River Basin, to Charles Riverboat Company for the 1999 - 2000 - 2001 - 2002 and 2003 seasons.
The Commission V O T E D: to award a Permit for excursion and charter boat service, on the Charles River Basin, to Charles

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Riverboat Company for the 1999 - 2000 - 2001 - 2002 and 2003 seasons, as follows -

- 1999** 1% of gross revenues including catering revenue (minimum of \$10,000.00), 750 sightseeing passes to the MDC (retail value \$6,000.00) 5 private charters (retail value \$5,800.00).
Total Value - \$21,850.00.
- 2000** 1% of gross revenues including catering revenue (minimum of \$10,500.00), 750 sightseeing passes to the MDC (retail value \$6,000.00) 5 private charters (retail value \$5,800.00).
Total Value - \$22,350.00.
- 2001** 1% of gross revenues including catering revenue (minimum of \$11,000.00), 750 sightseeing passes to the MDC (retail value \$6,000.00) 5 private charters (retail value \$5,800.00).
Total Value - \$22,850.00.
- 2002** 1% of gross revenues including catering revenue (minimum of \$11,500.00), 750 sightseeing passes to the MDC (retail value \$6,000.00) 5 private charters (retail value \$5,850.00).
Total Value - \$23,350.00.
- 2003** 1% of gross revenues including catering revenue (minimum of \$12,000.00), 750 sightseeing passes to the MDC (retail value \$6,000.00) 5 private charters (retail value \$5,800.00).
Total Value - \$23,850.00.

Total Combined Value for 5 years - \$114,250.00.

1. Report of Mrs. O'Brien, May 17, requesting renewal and execution of a Contract-Agreement with Daniel Driscoll for Planning Services Pursuant to Land Acquisition and Master Planning - at a cost not-to-exceed \$58,990.00.
Time for Performance - July 1, 1999 - June 30, 2000.
Account No. 2490-8915 of Chapter 33, Acts of 1991.
Following a lengthy discussion concerning the matter, and noting Mr. Driscoll's thirteen years as a service contractor, Acting Commissioner Carr urged Deputy Commissioner Overton Bussell and Mrs. O'Brien, to continue to pursue a comparable permanent position which Mr. Driscoll could apply for.
The Commission V O T E D: Approval to renew Contract-Agreement with Daniel Driscoll, as requested by Mrs. O'Brien in her report of May 17, 1999.
The Secretary then submitted for signature Contract-Agreement, dated May 20, 1999, with Daniel Driscoll, which was signed by Acting Commissioner Carr and two Associate Commissioners.
2. Report of Miss Rodriguez, May 17, recommending approval and execution of a service contract with the YMCA of Greater Boston to provide training and certification for MDC Pool Operators.
Compensation - not-to-exceed \$10,000.00
Completion - by June 11, 1999.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Service Contract,

dated May 20, 1999, with the YMCA of Greater Boston, which was signed by Acting Commissioner Carr and two Associate Commissioners.

1. Report of the Parking Lot Proposal Review Committee, May 13, recommending selection of Preferred Parking Co., Inc., for Management and Operation of the Nahant Beach Reservation Parking Lots for 1999-2000-2001-2002 and 2003 Beach Seasons.

| <u>Compensation</u> | | | | |
|---------------------|--------------|--------------|--------------|--------------|
| <u>1999</u> | <u>2000</u> | <u>2001</u> | <u>2002</u> | <u>2003</u> |
| \$120,000.00 | \$120,000.00 | \$120,000.00 | \$120,000.00 | \$120,000.00 |

The Commission is further requested to execute the Permit Agreement.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Permit Agreement, dated May 20, 1999, with Preferred Parking Co., Inc., for Management and Operation of the Nahant Beach Reservation Parking Lots for 1999-2000-2001-2002 and 2003 Beach Seasons, which was signed by Acting Commissioner Carr and two Associate Commissioners.

2. Report of the Parking Lot Proposal Review Committee, May 13, recommending selection of Preferred Parking Co., Inc., for Management and Operation of the Nantasket Reservation Parking Lots for 1999-2000-2001-2002 and 2003 Beach Seasons.

| <u>Compensation</u> | | | | |
|---------------------|-------------|-------------|-------------|-------------|
| <u>1999</u> | <u>2000</u> | <u>2001</u> | <u>2002</u> | <u>2003</u> |
| \$80,000.00 | \$80,000.00 | \$80,000.00 | \$80,000.00 | \$80,000.00 |

The Commission is further requested to execute the Permit Agreement.

The Commission V O T E D: Approved.

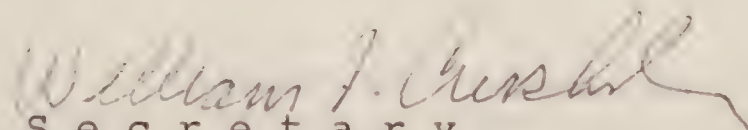
The Secretary then submitted for signature Permit Agreement, dated May 20, 1999, with Preferred Parking Co., Inc., for Management and Operation of the Nantasket Reservation Parking Lots for 1999-2000-2001-2002 and 2003 Beach Seasons, which was signed by Acting Commissioner Carr and two Associate Commissioners.

3. Report of Mrs. Overton Bussell, May 17, requesting approval of an Amendment to the Concession Permit between the MDC and the Boston Concessions Group, Inc., to allow for a credit to Boston Concessions Group, Inc., the current operators of the Hatch Shell Concession, not to exceed the amount of \$50,000.00, to cover the cost of design and construction of a sewer connection for the concession stand and authorize the financial division to deduct the actual cost of construction, not to exceed \$50,000.00, from the 1999 payment of \$100,000 by Boston Concessions Group, Inc. Deputy Commissioner Overton Bussell noted that since her request was submitted to the Commission on May 12, 1999, for approval, it became necessary to increase the credit to Boston Concession Group (BCG) from \$50,000.00 to \$75,000.00 from its base permit payment of \$100,000.00, to an cover increase in the cost of design and construction of a sewer connection for the concession stand. Deputy Commissioner Overton Bussell further requested that the Financial Division be directed to deduct the actual cost of

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design and construction, not-to-exceed \$75,000.00, from the 1999 payment of \$100,000.00, by Boston Concession Group, Inc. The Commission V O T E D: Approved as recommended by Mrs. Overton Bussell, in her report of May 17, 1999.

Adjourned at 10:15a.m., to meet on Thursday, May 27, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Ninety Fourth (3894th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 27, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on May 13, 1999 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P99-1999-C1B, dated May 27, 1999, with Ledgewood Construction Co., Inc., for Installation of Pre-Purchased Bleacher Stand Materials, Hormel Stadium, Medford.
2. Contract-Agreement No. WM96-010-S1A, dated May 27, 1999, with GZA GeoEnvironmental, Inc., for Inspection of Division of Watershed Management Dams.
3. Second Amendment, dated May 27, 1999, to Contract-Agreement No. WM95-085-D1A, with GZA GeoEnvironmental, Inc., for Design and Construction Services, Boat Cove, Wachusett Reservoir.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Sacco, April 2, recommending approval of the action of Deputy Commissioner Faucher resulting in a revision in quantities on Item No. 002-020 - Misc. Labor - at a cost of \$3,060.00, on Contract No. P98-1971-C1A, with R.M.H. Electric Co., Inc., for Installation of Semaphore Gates.
(The cost of the revision will be offset by unused quantities in Item Nos. 002-010 - Miscellaneous Parts, 003-010 - Traffic Control Services, in the amount of \$1,101.76 and \$1,985.24, from Account No. 2490-0010).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in a revision in quantities on Item No. 002-020, on Contract No. P98-1971-C1A.
The Commission further V O T E D: to approve the revision in quantities on Item No. 002-020, in the amount of \$3,060.00.
5. Report of Messrs. Faucher, Brooks and Balicki, May 11, on bids for Improvements to Ventilation, Neponset Garage, Dorchester, Contract No. P99-2000-C1A.
(Messrs. Faucher, Brooks and Balicki recommend acceptance of the lowest bid received, that of Davison Co., Inc., of \$93,500.00).
The Commission V O T E D: to accept the lowest bid received, that of Davison Co., Inc., of \$93,500.00.
6. Report of Messrs. Faucher and Lenhardt, May 17, on bids for Remedial Repairs John J. Beades Drawbridge, Boston, Contract No. P99-1992-C1A.
(Messrs. Faucher and Lenhardt recommend an increase in the value

of the project from \$170,000.00 to \$328,034.00, due to the need to replace water line, and accept the lowest bid received, that of N.E.L. Corporation, of \$328,034.00.)

Funding - \$170,000.00 from Account No. 2440-2503 and \$158,034.00 from Account No. 2490-0017.

Associate Commissioner Carr questioned the increase in the value of the project from \$170,000.00 to \$328,034.00.

Mr. Lenhardt explained it was determined prior to advertising the project, that the water line had to be replaced and it was added to the project without adjusting the original estimate, due to time constraints.

The increase, he explained, was to increase the total appropriated funds up to the Contract bid price.

The Commission V O T E D: to approve an increase in the value of the project from \$170,000.00 to \$328,034.00, due to the need to replace water line, as recommended by Messrs. Faucher and Lenhardt in their report of May 17, 1999.

The Commission further V O T E D: to accept the lowest bid received, that of N.E.L. Corporation, of \$328,034.00.

1. Report of Messrs. Faucher, Brooks and Mayhew, May 21, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-2025-C1A, for New Metal Projected Windows and Overhead Doors at the MDC Garage, Brighton.

Estimated Cost - \$45,000.00.

Time for Performance - sixty days after Notice to Proceed.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P99-2025-C1A, for New Metal Projected Windows and Overhead Doors at the MDC Garage, Brighton.

2. Report of Messrs. Faucher, Carrigan and Machado, May 21, requesting approval of revisions in quantities on Contract No. P97-1919-C1A, with DeLucca Fence Company, for Installation of Closure Gates, Guard Rail and Fences -

Item No. 041-010 - Dispose SS Guard Rail - \$ 125.00

Item No. 045-010 - Treated Wood Guard Rail - \$5,868.30

Total - \$5,993.30

Funding from Account No. 2440-0010.

The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and Abounaja, May 21, recommending that the Commission ratify the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 14 - for removing, transporting and properly disposing of 45.58 tons of highly contaminated lead soil from Ponkapoag Golf Course in Canton, for a total cost of \$12,625.66, on Contract No. P95-1789-C3A, with Zenone, Inc., for Contaminated Site Clean-Up at Various MDC Facilities.

Messrs. Faucher, Brooks and Abounaja also recommend an extension of time from June 17, 1999 to June 17, 2000, to remediate the former underground storage tanks sites.

(At no increase in contract cost as the extra work will be offset by unused quantities in Item No. 002-003 - Furnish and Install

3000 Gallon Underground Heating Oil Fuel Tank).

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 14, on Contract No. P95-1789-C3A.

The Commission further V O T E D: to approve Extra Work Order No. 14, in the amount of \$12,625.66.

The Commission further V O T E D: to approve an extension of time from June 17, 1999 to June 17, 2000, as recommended by Messrs. Faucher, Brooks and Abounaja in their report of May 21, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Mr. Brooks, May 24, recommending approval and award of fourteen Contract Service Agreements for Contract No. P99-1996-X1A, for Back Flow Preventer Work at Various Pool Facilities.

The Commission V O T E D: to approve and award fourteen Contract Service Agreements for Contract No. P99-1996-X1A, for Back Flow Preventer Work at Various Pool Facilities, to the low bidders, as follows -

| | <u>Pool & Location</u> | P. J. Kennedy & Sons, Inc. | D & F Plumbing & Heating Co., Inc. |
|----|--|-------------------------------|---------------------------------------|
| | | <u>Amount</u> | <u>Amount</u> |
| 1. | Allied Vets Pool Elm Street Everett | \$2,000.00 | |
| 2. | Cass Pool Martin L. King Blvd. Roxbury | \$1,200.00 | \$ 765.00 |
| 3. | Weymouth Pool Broad Street Weymouth | \$2,000.00 | \$2,300.00 |
| 4. | Wading Pool River & Newton St. Waltham | \$1,000.00 | |
| 5. | Hall Pool North Border Road Stoneham | \$1,800.00 | |
| 6. | Holland Pool Mountain Ave. Malden | \$2,000.00 | |
| 7. | Latta Pool McGrath & Broadway Somerville | \$1,200.00 | |
| 8. | Lee Pool Charles Street Boston | \$2,000.00 | |

| | <u>Pool & Location</u> | P. J. Kennedy & Sons, Inc. | D & F Plumbing & Heating Co., Inc. |
|-----|--|-------------------------------|---|
| | | <u>Amount</u> | <u>Amount</u> |
| 9. | Lloyd Pool Tremont Street Melrose | \$2,000.00 | |
| 10. | Magazine Beach Pool Memorial Drive Cambridge | \$1,200.00 | |
| 11. | Wading Pool Turtle Pond Parkway Hyde Park | \$1,000.00 | \$1,395.00 |
| 12. | Reily Pool Cleveland Circle Brighton | \$2,000.00 (Pool & Rink) | \$ 995.00 (Pool) \$1,865.00 (Rink) \$2,860.00 |
| 13. | Ryan Spray Pool River Street Mattapan | \$1,000.00 | \$1,780.00 |
| 14. | Connors Pool River & Newton St. Waltham | \$2,120.00 | |

Time for Performance - three to four weeks from Notice to Proceed.

Account No. 2440-0010-NN.

- Report of Messrs. Faucher and Jackson, May 19, requesting approval of extra work orders, on Contract No. P92-1628-C8A, with Greenscape Land Design, Inc., for 1999 Parkway Landscape Improvements, as follows -

Extra Work Order No. 1 \$15,000.00

Loaming and Seeding

Extra Work Order No. 2 \$15,000.00

Landscape Improvements at Charles Circle

Total - \$30,000.00

Funding from Account No. 2440-0010.

The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$15,000.00.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of \$15,000.00.

- Report of Messrs. Faucher and Sacco, May 24, requesting that the Commission exercise its option to renew, for 12 months (from April 30, 1999), Contract No. P97-1893-M2A, with RMH Electric Company, Inc., for Electrical/Mechanical Maintenance of General Edwards Bridge, Revere/Lynn.
Funding for the remainder of this fiscal year in the amount of

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\$2,780.00 and FY2000, in the sum of \$17,220.00, would be available subject and contingent upon appropriations.

The Commission V O T E D: to exercise its option to renew, for 12 months (from April 30, 1999), Contract No. P97-1893-M2A, with RMH Electric Company, Inc., for Electrical/Mechanical Maintenance of General Edwards Bridge, Revere/Lynn, as requested by Messrs. Faucher and Sacco in their report of May 24, 1999.

The Commission further V O T E D: to authorize Commissioner Balfour to execute the Contract on behalf of the Commission.

1. Report of Messrs. Faucher and Brooks, May 21, recommending that the Commission amend its vote of April 15, 1999, on Contract No. P98-1963-M1A, with Keystone Elevator Co., Inc., for Service and Maintenance of Elevators at Various Locations by increasing the value of Extra Work Order No. 1a, from \$2,522.53 to \$2,702.43 and Extra Work Order 1b, from \$4,076.57 to \$4,256.43. Account No. 2440-0010.
The Commission V O T E D: to amend its vote of April 15, 1999, on Contract No. P98-1963-M1A, with Keystone Elevator Co., Inc., for Service and Maintenance of Elevators at Various Locations by increasing the value of Extra Work Order No. 1a, from \$2,522.53 to \$2,702.43 and Extra Work Order 1b, from \$4,076.57 to \$4,256.43, as recommended by Messrs. Faucher and Brooks in their report of May 21, 1999.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, May 19, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization for the Office of Contract Administration to advertise Project No. WM95-085-C1A, for Wachusett Reservoir Boat Cove Docking Facility, Clinton. Estimated Cost - \$375,000.00.
Time for Performance - five months from Notice to Proceed.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for the Office of Contract Administration to advertise Project No. WM95-085-C1A, for Wachusett Reservoir Boat Cove Docking Facility, Clinton.

Action was taken upon the following matters relating to the Office of Planning:

3. Report of Mrs. Davidge, May 17, requesting approval of a Contract with Valley Communications Systems, Inc., for Installation of an Electronic Surveillance System at Paul Revere Park, Charlestown. Cost not-to-exceed - \$27,260.00.
Time for Performance - estimated at three months from Notice-to-Proceed.
Account No. 2449-6033.
The Commission V O T E D: Approved.

1.

Report of Mr. Haglund, May 14, recommending approval of an extension of time from June 30, 1999 to December 31, 2001, for four Massachusetts Highway Department/Metropolitan District Commission Interagency Service Agreement (ISA) Modifications, as follows -

Central Services Facilities Design, Construction and
Land Acquisition
Nashua Meadows Design
North Point Park Parcels Design
Historic Dam North & South Design

Mr. Haglund further requests authorization for Commissioner Balfour to execute the documents on behalf of the Commission. The Commission V O T E D: to approve an extension of time from June 30, 1999 to December 31, 2001, for four Massachusetts Highway Department/Metropolitan District Commission Interagency Service Agreement (ISA) Modifications, as recommended by Mr. Haglund in his report of May 14, 1999.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the documents on behalf of the Commission.

Action was taken upon the following Various Matters:

2.

Report of Mr. Jewett, May 19, requesting approval and execution of a Telecommunications System Agreement between the MDC and the Massachusetts Convention Center Authority, for the Authority's usage of the Commission's 800 MHZ Smartnet Telecommunications System. This is for a term of five years, beginning on the first day of the month following execution of the Agreement and shall terminate on the last day of the month at the end of the five year period.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Telecommunications System Agreement, dated May 27, 1999, between the MDC and the Massachusetts Convention Center Authority, which was signed by the Commissioner and four Associate Commissioners.

3.

Report of Mr. Jewett, May 20, requesting approval and execution of Service Contract No. 997001, with Cyber Communications, Inc., (Cyber Comm), to provide maintenance and repair service for the Commission's 800 MHZ Telecommunications.

Compensation - at the rate of \$125.00 an hour - with an upset limit of \$50,000.00 per year for two year duration - Total not-to-exceed - \$100,000.00).

The Commission V O T E D: Approved.

The Secretary then submitted for signature Service Contract No. 997001, dated May 27, 1999, with Cyber Communications, Inc., (Cyber Comm), which was signed by the Commissioner and four Associate Commissioners.

4.

Report of the Concession Selection Committee, May 24, recommending award of food service concessions for a four year period 1999 - 2000 - 2001 and 2002, at George's Island and Sandy Beach, Winchester.

The Concession Selection Committee further requests authorization for Secretary Chisholm to execute the Permits on behalf of the Commission.

The Commission V O T E D: to award food service concessions for a four year period 1999 - 2000 - 2001 and 2002, at George's Island and Sandy Beach, Winchester, as follows -

| <u>LOCATION</u> | <u>VENDOR</u> | <u>COMPENSATION</u> |
|--|---|---|
| Sandy Beach Winchester (Mobile Location) | Dylan & Pete's 52 Butterfield St. Lowell, MA 01854 | \$6,500.00 per each of four years TOTAL - \$26,000.00 |
| George's Island Boston Harbor | Tastefully Yours Catering 256 Marginal St. East Boston | 1999 - \$ 6,000.00 2000 - \$ 6,250.00 2001 - \$ 6,500.00 2002 - \$ 6,750.00 TOTAL- \$25,500.00. |

The Commission further V O T E D: authorization for Secretary Chisholm to execute the Permits on behalf of the Commission.

1. Report of Mrs. Overton Bussell, May 23, requesting approval of Amendment No. 10, for an extension of time from June 1, 1999 to December 31, 1999, on Contract No. P96-1824-S1A, with Fugro East, Inc., for Development of a Resource Management Plan for the Lands Owned and Managed within Fowl Meadow/Ponkapoag Area of Critical Environmental Concern.
Mrs. Overton Bussell requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.
2. Report of Mr. Jewett, May 25, recommending approval and requesting authorization for Commissioner Balfour to execute on behalf of the Commission, a Contract-Agreement with the Law Office of Peter E. Flynn, P.C., for real estate title examination services, Worcester and Franklin Counties, (Open Order Contract No. RP99-0001), at a value of \$7,925.00, for five parcels of land.
Completion Date - June 30, 1999.
Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, a Contract-Agreement with the Law Office of Peter E. Flynn, P.C., for real estate title examination services, Worcester and Franklin Counties, (Open Order Contract No. RP99-0001).
3. Report of Mr. Jewett, May 25, requesting approval of Contract No. PL99-051-D1A, with Aquatic Control Technology, Inc., for Charles River Lakes District Mechanical Weed Harvesting Program 1999.
Compensation - not-to-exceed \$150,000.00.
Time for Performance - seven months commencing in June 1999.

Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission. Account No. 2440-0010.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

1. Report of Mr. Jewett, May 26, on behalf of the Consultant Selection Committee, requesting approval of the selection of Mills Whitaker Architects, LLC, for Contract No. PL99-059-D1A, for Restoration of Historic Landings/Charles River Esplanade. Estimated Time of Performance - ten weeks. Compensation - not-to-exceed - \$35,000.00. Account No. 2440-0010.

The Commission V O T E D: Approved.

The Commission further V O T E D: to authorize Commissioner Balfour to execute the Contract on behalf of the Commission.

Action was taken upon the following matter relating to the Office of the General Counsel:

2. Report of Mr. Gray, May 24, recommending that the Commission adopt an order of taking for the acquisition of approximately 3.5490 acres of land owned by various landowners located in the Towns of Holden and West Boylston, Massachusetts relating to the MDC Waste Water Project No. WM97-061-C1A, for sewer, sewage pumping and drainage purposes, and to approve awards of damages in the total amount of \$254,075.00, together with such damages and costs as required under General Laws, Chapter 79, sections 6, 12, 39 and 44; and further to acquire any and all temporary rights-of-way in and to the roads and ways under the control of the Towns of Holden and West Boylston required to complete said Project, at no compensation, in anticipation of transferring the aforesaid rights and easements upon completion of said construction; and further to transfer any and all rights and interests in real property acquired for said Project and in the sewer, sewage pumping and drainage constructed under said Project, upon the completion of the construction, to the appropriate parties as designated and otherwise authorized under sections 2 and 63 of Chapter 15 of the Acts of 1996, as determined by the Division of Watershed Management, and for all purposes consistent with said Act.

The Commission V O T E D: to adopt an order of taking for the acquisition of approximately 3.5490 acres of land owned by various landowners located in the Towns of Holden and West Boylston, Massachusetts relating to the MDC Waste Water Project No. WM97-061-C1A, for sewer, sewage pumping and drainage purposes.

The Commission further V O T E D: to approve awards of damages in the total amount of \$254,075.00, together with such damages and costs as required under General Laws, Chapter 79, sections 6, 12, 39 and 44;

The Commission further V O T E D: to acquire any and all temporary rights-of-way in and to the roads and ways under the control of the Towns of Holden and West Boylston required to

complete said Project, at no compensation, in anticipation of transferring the aforesaid rights and easements upon completion of said construction.

The Commission further V O T E D: to transfer any and all rights and interests in real property acquired for said Project and in the sewer, sewage pumping and drainage constructed under said Project, upon the completion of the construction, to the appropriate parties as designated and otherwise authorized under sections 2 and 63 of Chapter 15 of the Acts of 1996, as determined by the Division of Watershed Management, and for all purposes consistent with said Act.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, May 27, 1999

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Sections 2 and 63 of Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, and for sewer, sewage pumping and draining purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Holden and West Boylston in the County of Worcester and Commonwealth of Massachusetts, on behalf of said Towns of Holden and West Boylston, namely:

Forty Two (42) permanent easement interests in, on, under, to and through certain parcels of lands, and Two (2) fee interests in Two (2) parcels of land, all as situated in said Towns and shown on Two (2) sets of plans of Land in West Boylston and Holden, MA, prepared for Weston and Sampson Engineers, Inc. Peabody, MA, by Vaidya Consultants, Inc., Wilmington, MA, by John D. Church, P.L.S., on behalf of the Metropolitan District Commission Division of Watershed Management, dated December 17, 1998, sheets 3 and 5 revised May 24, 1999 and October 28, 1998, sheets 2, 3, and 7 revised May 24, 1999, which plans are on file with said Commission and which plans shall be recorded either simultaneously with this order of taking or at a later date with the Worcester District Registry of Deeds and incorporated herein and made a part of this order.

The Commission awards damages sustained by the supposed owners of the land herein mentioned by reason of said taking, in the following sum:

| Owners | Easement or Fee Number | Acreage | Book Page | Award of Damages |
|--|------------------------------|---------|------------------|---------------------|
| Easements and Fee Takings Town of Holden | | | | |
| Bashaw, Barbara (Devisee) #W-000557 | 14 | 0.0460 | Bk 2560 Pg 74 | \$1,000.00 |

| Owners | Easement or Fee Number | Acreage | Book Page | Award of Damages |
|--|------------------------------|---------|--------------------|---------------------|
| Berube, James K. #W-000535 | 3 | 0.1537 | Bk 6125 Pg 238 | \$10,000.00 |
| Chow, Wilson Y. #W-000558 | 12A | 0.0351 | Bk 14617 Pg 177 | \$1,000.00 |
| Grossi, Clemente #W-000566 | 13 | 0.0634 | Bk 17799 Pg 374 | \$5,200.00 |
| Meservey, Thomas & Margaret M. Budney-Meservey #W-000552 | 15 | 0.0092 | Bk 19352 Pg 107 | \$500.00 |
| Mickevich, Stephen J. & Anne M. #W-000581 | 1 | 0.1670 | Bk 20584 Pg 104 | \$825.00 |
| Siddons, Allen E #W-000764 | 12B | 0.0349 | Bk 20824 Pg 332 | \$1,000.00 |
| Sundberg, Roland D. #W-000536 | 2 | 0.1119 | Bk 13823 Pg 299 | \$5,500.00 |
| Theodosios, Constantine M. & Jacqueline P. #W-000556 | 11 | 0.1132 | Bk 16110 Pg 255 | \$4,700.00 |
| Watson, Wendell J & Jean #W-000583 [FEE] | Fee 1 | 0.0402 | Bk 15510 Pg 366 | \$20,000.00 |
| Easements and Fee Takings Town of West Boylston | | | | |
| Adams, Jean A. #W-000606 | 19 | 0.0114 | Bk 12354 Pg 391 | \$500.00 |
| Arieri, Edward R. #W-000604 | 8 | 0.0327 | Bk 3174 Pg 329 | \$950.00 |
| Bonci, Arthur & Josephine #W-000532 | 18 | 0.0197 | Bk 3174 Pg 498 | \$500.00 |
| Boylston Acquisition Limited Partnership Rose, William B. & Trustees #W-000719 | 7A 7B | 0.4677 | Bk 16436 Pg 197 | \$40,750.00 |
| Boylston Street Limited Partnership c/o SR Weiner & Company #W-000580 | 6A 6B | 0.1084 | Bk 16436 Pg 213 | \$9,450.00 |
| Carrigan, John P #W-000575 | 15 | 0.0550 | Bk 11173 Pg 111 | \$1,600.00 |

| Owners | Easement or Fee Number | Acreage | Book Page | Award of Damages |
|---|------------------------------|---------|--|---------------------|
| Commerce Bank & Trust #W-000569 | 4 | 0.0681 | Bk 18762 Pg 139 | \$5,950.00 |
| Edilberti Jr., Randolph J. & Barbara C. #W-000571 | 2A 2B | 0.1583 | Bk 18305 Pg 195 | \$10,050.00 |
| Friendly Ice Cream Corporation #W-000578 | 11A 11B | 0.0813 | Bk 3809 Pg 350 | \$3,800.00 |
| Hudson, Edward T. & Tracey J. #W-000607 | 20 | 0.0114 | Bk 16725 Pg 374 | \$500.00 |
| Israel, Leonard & Martin #W-000603 | 5 | 0.0018 | Bk 5180 Pg 415 | \$500.00 |
| Israel Real Estate Company, Inc. #W-000603 | 9 | 0.0327 | Bk 4529 Pg 347 | \$950.00 |
| Leonard, Marie #W-000573 | 13 | 0.0413 | Bk 16954 Pg 124 | \$1,200.00 |
| Menard, Ronald N. & Paul J. #W-000570 | 3 | 0.0447 | Bk 11137 Pg 115 | \$3,900.00 |
| Meola, James B. #W-000576 | 14 | 0.0964 | Bk 10711 Pg 304 | \$2,750.00 |
| Meola, James M & Anna Marie #W-000572 | 12 | 0.0757 | Bk 6130 Pg 186 | \$2,200.00 |
| Slack III, Thomas #W-000577 | 10 | 0.1080 | Bk 6414 Pg 354 | \$3,100.00 |
| West Boylston, Town of #W-000574 | 16 | 0.1515 | Bk 2313 Pg 372 | \$0.00 |
| West Boylston Water District #W-000533 | 17 | 0.1728 | Bk 7816 Pg 165 | \$0.00 |
| Wright Line Inc./First All-America Financial Life Insurance Company #W-000582 | 1 | 0.5201 | Bk 18720 Pg 112 Bk 18724 Pg 198 | \$45,300.00 |
| Calairo, Christine N. [FEE] #W-000537 | Fee 1 | 0.0805 | Bk 185574 Pg 159 Bk 1979 Pg 127 | \$52,000.00 |

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Certain Portions of said land are registered by the Land Court in the Worcester County Registry of Deeds:

| Owners | Easement Number | Acreage | Land Court Cert # Doc # Bk # | Award of Damages |
|---|--------------------|---------|---|---------------------|
| Easements Town of Holden | | | | |
| Burnham, David A. & Carolyn M. #W-000554 | 6 | 0.0354 | Cert # 7630 Doc # 26468 Bk # 39 | \$3,300.00 |
| Hadley, James H. & Helen R. #W-000562 | 8 | 0.0260 | Cert # 4405 Doc # 14283 Bk # 23 | \$1,000.00 |
| Hollocher, Bruce C. & Cheryl A. Tausky- Hollocher #W-000561 | 5 | 0.0941 | Cert # 11166 Doc # 44880 & Doc # 64268 Bk # 56 | \$1,000.00 |
| Kaczmarek, Zygmunt H. & Polly Ann #W-000560 | 7 | 0.0315 | Cert # 5879 Doc # 19608 Bk # 30 | \$3,000.00 |
| Mongeon, Jr., Ernest E. #W-000553 | 4 | 0.0208 | Cert # 10656 Bk # 54 | \$2,400.00 |
| Morse, Robert N. #W-000559 | 17 | 0.0133 | Cert # 4454 Bk # 23 | \$500.00 |
| Petkus, Janetta P. & Janetta #W-000555 | 9 | 0.0367 | Cert # 9752 Doc # 35548 Bk # | \$3,400.00 |
| Sundin, B. A. & Sons, Inc. #W-000564 | 16 | 0.1222 | Cert # 9602 Bk # 49 | \$1,000.00 |
| Theodosius, Constantine M. & Jacqueline P. #W-000556 | 10 | 0.0549 | Cert # 12625 Doc # 58690 Bk # 64 | \$2,800.00 |

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and comprising approximately 3.5490 ac. Also meaning and intending to take hereby any and all temporary rights-of way in and to the roads and ways under the control of the Towns of Holden and West Boylston, Massachusetts, at no compensation, required to complete the construction of the MDC Waste Water Project No. WM97-061-C1A(97-3H) and WM97-061-C1A(97-5W) for sewer, sewage pumping the drainage purposes.

The Commission hereby expressly authorizes its Watershed Management Division to enter into any and all necessary memoranda of agreement and other agreements, permits and licenses on behalf of said Commission with other state or public agencies which may have control over highways, roads or ways, to ensure the proper access for, and the unimpeded construction of, said Project.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and comprising approximately 3.5490 ac. Also meaning and intending to take hereby any and all temporary rights-of way in and to the roads and ways under the control of the Towns of Holden and West Boylston, Massachusetts, at no compensation, required to complete the construction of the MDC Waste Water Project No. WM97-061-C1A(97-3H) and WM97-061-C1A(97-5W) for sewer, sewage pumping the drainage purposes.

The Commission hereby expressly authorizes its Watershed Management Division to enter into any and all necessary memoranda of agreement and other agreements, permits and licenses on behalf of said Commission with other state or public agencies which may have control over highways, roads or ways, to ensure the proper access for, and the unimpeded construction of, said Project.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby transfer any and all rights and interests in real property acquired for said project and in and to the sewer and sewer pumping and drainage system constructed under said Project, upon the completion of said construction, to the appropriate parties as designated and otherwise authorized by said acts and provisions, as determined by its Division of Watershed Management, for all purposes consistent with said acts and provisions.

1.

At this point, Associate Commissioner Carr took official note of the recent departure of Associate Commissioners Darryl S. Settles and Charles F. Wu, from the Commission.

Commissioner Balfour and Associate Commissioners Carr and Elkort expressed their appreciation for Associate Commissioner Settles's enthusiasm in renewing the dream of Charles Eliot and returning the parks to the people.

It was noted that during the past eight years, Associate Commissioner Settles, joined in furthering the revitalization and beautification of the Commission's reservations, parkways, recreational facilities and the acquisition of countless acres of parkland and watershed land, thereby offering the public an expanded program of recreational activities and special events. Commissioner Balfour and Associate Commissioners Carr and Elkort then joined in an expression of appreciation for Associate Commissioner Settles's efforts in furthering the goals, the policies, and the responsibilities of the Metropolitan District Commission, and wished him continued success in all his future endeavors.

Then: Commissioner Balfour and Associate Commissioners Carr and Elkort expressed their appreciation for Associate Commissioner Wu's enthusiasm in renewing the dream of Charles Eliot and returning the parks to the people.

It was noted that during the past four and a half years, Associate Commissioner Wu, joined in furthering the revitalization and beautification of the Commission's reservations, parkways, recreational facilities and the acquisition of countless acres of parkland and watershed land, thereby offering the public an expanded program of recreational activities and special events.

Commissioner Balfour and Associate Commissioners Carr and Elkort then joined in an expression of appreciation for Associate Commissioner Wu's efforts in furthering the goals, the policies, and the responsibilities of the Metropolitan District Commission, and wished him continued success in all his future endeavors.

Adjourned at 10:00 a.m., to meet on Thursday, June 3, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Ninety Fifth (3895th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, June 3, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on May 20, 1999 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P99-1989-C1A, dated June 3, 1999, with M.I.G. Corporation, Inc., for Master Service Agreement for Emergency Bridge Repairs.
2. Contract No. P99-1989-C1A, dated June 3, 1999, with SPS New England, Inc, for Master Service Agreement for Emergency Bridge Repairs.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Mrs. Overton Bussell and Messrs. Faucher and Kane, May 13, 1999, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-1977-C1A, for Renovation of the Marine Park Sanitary, South Boston.
Estimated Cost - \$138,900.00.
Time for Performance - 90 days from Notice to Proceed.
Account No. 2449-8963.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-1977-C1A, for Renovation of the Marine Park Sanitary, South Boston.
4. Report of Messrs. Faucher and Mayhew, May 11, recommending the following on Contract No. P98-1953-C1A, with Jay-Mor Enterprises, Inc., for Demolition of the Magazine Beach Sanitary, Memorial Drive, Cambridge -
 - (a) That work be accepted as completed as of April 23, 1999.
 - (b) That Estimate No. 1 (Final), in the amount of \$23,702.50, be approved for payment.
 - (c) That reserve, in the amount of \$1,247.50, be approved for payment.
(Basis of Award - \$24,950.00)
(Total to Date - \$24,950.00)
(Contract Administration Rating - 85 on a scale of 1 to 100)
(EEO Compliance - 4.20 on a scale of 1 to 5)The Commission V O T E D: that the work of Jay-Mor Enterprises, Inc., Contractor under Contract No. P98-1953-C1A, be and hereby is accepted as completed as of April 23, 1999.
The Commission further V O T E D: to approve Estimate No. 1

(Final), in the amount of \$23,702.50, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,247.50, for payment.

1. Report of Messrs. Faucher and Johnston, May 27, requesting approval of an extension of time from June 30, 1999, to June 30, 2000, on Contract Number P87-1447-M1A, with GZA GeoEnvironmental, Inc., for Geotechnical Engineering Advise.
(At no increase in contract cost).
The Commission V O T E D: Approved.
2. Report of Mrs. O'Brien and Messrs. Faucher and Griffin, June 2, requesting approval of an extension of time, for administrative purposes only, from June 30, 1999 to August 31, 1999, on Contract No. PL82-1022-CIA, with R.H.D. Construction Co., Inc., for Revere Landing Park.
(The extension of time is requested under the provisions of Article XXII, at no increase in Contract Cost. The extension will in no way affect the liquidated damages provisions of Article XXI, and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract).
The Commission V O T E D: to approve an extension of time, for administrative purposes only, under the provisions of Article XXII, from June 30, 1999 to August 31, 1999, as recommended by Mrs. O'Brien and Messrs. Faucher and Griffin, in their report of June 2, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provisions of Article XXI, and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.
2. Report of Messrs. Faucher and Terzian, May 28, requesting approval of the request of the contractor for an extension of time from June 2, 1999 to July 2, 1999, on Contract No. P98-1940-CIA, with Tasco Construction Inc., for Removal/Replacement of Culvert Gates and Sluice Gates at Charles River Locks and Dam. (The extension is for administrative purposes only under provisions of Article XXII at no increase in contract cost. The extension will in no way affect the liquidated damages provision of Article XXI, and shall not operate as a waiver on the part of the Commission or in any of its rights under the contract).
The Commission V O T E D: to approve an extension of time for administrative purposes only, under the provisions of Article XXII, from June 2, 1999 to July 2, 1999, as recommended by Messrs. Faucher and Terzian, in their report of May 28, 1999 to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provision in Article No. XXI, that may be due to the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the contract.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Pula, May 19, requesting approval of the 1999 Quabbin Reservation Controlled Deer Hunt, as outlined in Table 1 of the report.
- Messrs, McGinn and Pula, request approval to close the controlled hunt areas as outlined in Table I to all persons except those with official access permits, for the following periods for each area -
- | | | |
|-----------|---|---------------------------|
| Pelham | - | November 29 - November 30 |
| New Salem | - | December 3 - December 4 |
| Hardwick | - | November 29 - November 30 |
| Petersham | - | December 3 - December 4 |

Messrs. McGinn and Pula, further request that the Commission approve access for hunters with MDC permits to Prescott Peninsula, for the period December 3 - December 4, in accordance with Chapter 737 of the Acts of 1972, Section 09.

On questioning by Associate Commissioner Elkort, John McDonald of the Massachusetts Division of Fisheries and Wildlife presented a history of the controlled deer hunts at Quabbin Reservation. He explained that the hunts have progressed from the original reduction phase, when deer harvests were high, to the present day maintenance phase where deer harvests are now much lower.

Following a lengthy discussion, the Commission V O T E D: to approve the 1999 Quabbin Reservation Controlled Deer Hunt as outlined in Table 1 of the report, as follows -

| LOCATION | SEGMENTS | # HUNTERS APPROXIMATE | ACRES/ HUNTER | DATES |
|---|----------|--------------------------|------------------|------------|
| PELHAM (Gates 3A- 16 - 9,000 acres) | 1, 2-DAY | 250 | 30 | Nov. 29-30 |
| PRESCOTT (Gates 17- 21 - 12,500 acres) | 1, 2-DAY | 375 | 33 | Dec. 3-4 |
| HARDWICK (Gates 41- 50 - 6,000 acres) | 1, 2-DAY | 183 | 30 | Nov. 29-30 |
| NEW SALEM (Gates 21- 35 - 5,000 acres) | 1, 2-DAY | 150 | 30 | Dec. 3-4 |
| PETERSHAM (Gates 36- 40 - 8,600 acres) | 1, 2-DAY | 288 | 30 | Dec. 3-4 |

| | | |
|---------|----------------|---------|
| TOTALS: | | |
| ACRES | 5 SEGMENTS | HUNTERS |
| 41,100 | (10 area-days) | 1,246 |

The Commission further V O T E D: approval to close the controlled hunt areas outlined in Table 1 to all persons except those with official MDC access permits, for the following periods for each area (closures include all times during days outlined):

- * Pelham - November 29 - 30
- * New Salem - December 3 - 4
- * Hardwick - November 29 - 30
- * Petersham - December 3 - 4

The Commission further V O T E D: to approve access for hunters with MDC permits to Prescott Peninsula, for the date outlined (December 3-4), as required by Chapter 737 of the Acts of 1972, Section 09.

Action was taken upon the following Various Matter:

1. Report of Mr. Jewett, June 1, recommending award of the following two (2) Contract-Agreements, for Open Order Contract No. RP99-002, for Professional Land Survey Services - (Park Land Acquisition Program FY-'99) -

| <u>NAME</u> | <u>VALUE</u> | <u>ASSIGNMENTS</u> |
|---|--------------|--------------------|
| Daylor Consulting Group, Inc. Ten Forbes Road Braintree, MA 02184 | \$ 7,500.00 | 1 |
| Sverdrup Civil, Inc. Two Center Plaza Boston, MA 02108-1906 | \$14,600.00 | 1 |

Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission.

Funding from Account No. 2441-9960

Completion Date - June 30, 1999.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission.

Adjourned at 9:35 a.m., to meet on Thursday, June 10, 1999, at 9:00 a.m.

William F. Chisholm
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Record of the Three Thousand Eight Hundred and Ninety Sixth (3896th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Friday, June 11, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort and Sheppard.

The Records of the Commission Meeting held on May 27, 1999, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P99-1989-C1A, dated June 11, 1999, with N.E.L. Corporation, for Master Service Agreement for Emergency Bridge Repairs.
2. Permit-Agreement, dated June 11, 1999, with Charles Riverboat Company, for Excursion and Charter Boat Service, in the Charles River Basin, for the 1999 - 2000 - 2001 - 2002 and 2003 seasons.
3. The Secretary then submitted for signature, Fourth Amendment to Contract-Agreement No. WM96-076-S1A, with Berkshire - Pioneer R C & D, for Private Forest Management Plans.
The Commission V O T E D: Held Over.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Mayhew, March 15, recommending the following on Contract No. P98-1950-C1A, with McConnell Enterprises, Inc., for Demolition of Dwelling at Triphammer Woods, Hingham -
 - (a) That work be accepted as completed as of March 15, 1999.
 - (b) That Estimate No. 2 (Final), in the amount of \$950.00, be approved for payment.
 - (c) That reserve, in the amount of \$2,250.00, be approved for payment.
 - (Basis of Award - \$45,000.00)
 - (Amount to Date - \$45,000.00)
 - (Contract Performance Rating - 85 with 100 being excellent)
 - (EEO Compliance - 4.50)

The Commission V O T E D: that the work of McConnell Enterprises, Inc., Contractor under Contract No. P98-1950-C1A, be and hereby is accepted as completed as of March 15, 1999.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$950.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$2,250.00, for payment.
5. Report of Messrs. Faucher, Brooks and Haider, June 1, requesting approval of Extra Work Order No. 12 - for Replacement of Semi-Hermetic Compressor at Connell Rink, Weymouth - at a cost of \$4,030.00, on Contract No. P97-1916-M1A, with P. J. Kennedy &

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Sons, Inc., for Servicing of HVAC Systems at Various MDC Facilities within the Metro Parks System.

(At no increase in Contract cost as the extra work will be offset by unused quantities in Extra Work Order No. 3 through 9).

The Commission V O T E D: to approve Extra Work Order No. 12, in the amount of \$4,030.00, as requested by Messrs. Faucher, Brooks and Haider in their report of June 1, 1999.

1. Report of Messrs. Faucher and Terzian, June 1, recommending ratification of the action of Deputy Commissioner Faucher resulting in Extra Work Orders on Contract No. P98-1940-C1A, with Tasco Construction, Inc., for Removal and Replacement of Culvert and Sluice Gates, as follows -

| | |
|------------------------|-------------|
| Extra Work Order No. 6 | \$ 6,408.47 |
|------------------------|-------------|

Repair rod seals for sector gate operators

| | |
|------------------------|-------------|
| Extra Work Order No. 7 | \$ 8,000.00 |
|------------------------|-------------|

Install time delay relays for culvert and sluice gates.

| | |
|------------------------|-------------|
| Extra Work Order No. 8 | \$ 7,000.00 |
|------------------------|-------------|

Repair of barge damage to sector gate operator.

| | |
|------------------------|-------------|
| Extra Work Order No. 9 | \$ 2,803.02 |
|------------------------|-------------|

Complications, dewatering gatewell, Lock #2.

| | |
|-------------------------|-------------|
| Extra Work Order No. 10 | \$ 2,204.27 |
|-------------------------|-------------|

Install bulkhead for failed old lower sluice gate.

| | |
|-------------------------|-------------|
| Extra Work Order No. 11 | \$ 1,825.33 |
|-------------------------|-------------|

High sluice gate vibration, required to inspect.

| | |
|-------------------------|--------------------|
| Extra Work Order No. 12 | <u>\$11,294.82</u> |
|-------------------------|--------------------|

Old lower sluice gate failed, damaging acutator rod.

Total - \$39,535.91

Funding from Account No. 2440-8950.

In response to a question by Associate Commissioner Elkort, Mr. Terzian responded that Extra Work Order No. 8, was for repairs to damage caused by a contractor's barge using the locks to transport material needed for the Central Artery project. Associate Commissioner Elkort then asked if the MDC was pursuing reimbursement of the cost of the damage.

Mr. McDonald stated that he was not sure. However, he would confer with the General Counsel concerning the matter.

Associate Commissioner Carr then spoke of his concern regarding an ever increasing number of engineering items arriving for Commission ratification after action had already been taken by the Division. Associate Commissioner Carr noted that some of the extra work included in this recommendation was done in March of 1999 and approval and ratification was not requested until June 11, 1999. He stated that in his opinion this is an unhealthy trend. He also expressed concern regarding the number of late agenda items which the Commission does not get to review until the morning of the Commission meeting. This, he noted, does not afford sufficient time for reviewing items. In addition, he noted, Contracts are placed on the Commission agenda for execution and in many instances do not arrive in time for full

Commission execution and therefore, requests are made to authorize the Commissioner to sign the documents on behalf of the Commission.

At this point, Mr. Terzian explained that the delay in processing the Extra Work Orders was due to problems in processing the financial pink sheets.

Associate Commission Carr then noted that he was not focusing in on this agenda item in particular, but the trend in general.

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher which resulted in Extra Work Order Nos. 6, 7, 8, 9, 10, 11 and 12, on Contract No. P98-1940-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of \$6,408.47.

The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of \$8,000.00.

The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of \$7,000.00.

The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of \$2,803.02.

The Commission further V O T E D: to approve Extra Work Order No. 10, in the amount of \$2,204.27.

The Commission further V O T E D: to approve Extra Work Order No. 11, in the amount of \$1,825.33.

The Commission further V O T E D: to approve Extra Work Order No. 12, in the amount of \$11,294.82.

1. Report of Messrs. Faucher, Brooks and Abounaja, June 3, recommending ratification of the action of Deputy Commissioner Faucher resulting in the following on Contract No. P97-1898-C1A, with RHD Construction Co., Inc., for Unquity Road Landfill Closure, Milton -

| | |
|---|------------|
| Extra Work Order No. 5 | \$5,900.00 |
| Furnish and Install a GEO Fabric Vegetation Mat at the Slope of the Landfill. | |
| Revision in Quantity | \$2,520.00 |
| Item No. 02900.20 - Seeding | |

Messrs. Faucher, Brooks and Abounaja further recommend approval of the request of the Contractor for an extension of time from October 1, 1999 to October 1, 2001, in order to complete watering for two years.
Funding from Account No. 2490-0010.
The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 5 and Revision in Quantity, on Contract No. P97-1898-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$5,900.00.
The Commission further V O T E D: to approve the Revision in Quantity on Item No. 02900.20, in the amount of \$2,520.00.
2. Report of Messrs. Faucher, Brooks and Martinez, June 7, requesting ratification of the action of Deputy Commissioner Faucher resulting in Extra Work Orders on Contract No. P99-1972-C1A, with T. Ford Company, Inc., for Utilities Connection for the Temporary Outdoor Peter J. Kelly Ice Skating Rink in Jamaica Plain, as follows -

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|--|--------------------|
| Extra Work Order No. 4 | \$ 946.98 |
| Pipe Bollards | |
| Extra Work Order No. 5 | \$17,558.92 |
| Carpentry Items | |
| Extra Work Order No. 6 | \$ 2,622.31 |
| Plumbing Changes in Zamboni Garage | |
| Extra Work Order No. 7 | \$ 1,742.90 |
| Trailer Moves | |
| Extra Work Order No. 8 | \$ 977.89 |
| Plumbing in Trailers | |
| Extra Work Order No. 9 | \$ 2,172.79 |
| Additional Fencing | |
| Extra Work Order No. 10 | \$ 1,947.78 |
| Heat Tape & Insulating of Water to Baths | |
| Extra Work Order No. 11 | \$ 1,667.76 |
| Light Switch in Manager's Office | |
| Extra Work Order No. 12 | \$ 2,467.17 |
| Smoke Detectors | |
| Extra Work Order No. 13 | <u>\$30,765.69</u> |
| Plywood Deck Over Refrigeration Tubes | |

Total = \$62,870.19

Funding from Account No. 2440-9812.

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher which resulted in Extra Work Order Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, on Contract No. P99-1972-C1A. The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$946.98. The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$17,558.92. The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of \$2,622.31. The Commission further V O T E D: to approve Extra Work Order No. 7, in the amount of \$1,742.90. The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of \$977.89. The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of \$2,172.79. The Commission further V O T E D: to approve Extra Work Order No. 10, in the amount of \$1,947.78. The Commission further V O T E D: to approve Extra Work Order No. 11, in the amount of \$1,667.76. The Commission further V O T E D: to approve Extra Work Order No. 12, in the amount of \$2,467.17. The Commission further V O T E D: to approve Extra Work Order No. 13, in the amount of \$30,765.69.

1. Report of Messrs. Faucher, Brooks and Mayhew, June 9, requesting approval of an extension of time for administrative purposes only, from June 30, 1999 to November 1, 1999, on Contract No. PL92-017-C2A, with D & C Construction Co., Inc., for Upper Charles River Reservation Restoration - Phase 1B. (The extension of time is requested under provisions of Article XXII, at no increase in Contract cost. The extension will in no way affect the liquidated damages provisions of Article XXI, and shall not operate as a waiver on the part of the Commission or in

any of its rights under the Contract).

The Commission V O T E D: to approve an extension of time, for administrative purposes only, under the provisions of Article XXII, from June 30, 1999 to November 1, 1999, as recommended by Messrs. Faucher, Brooks and Mayhew, in their report of June 9, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provisions of Article XXI, and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

1. Report of Messrs. Faucher and Terzian, May 28, on bids for Charles River Locks and Dam, Marine Building, Smoke Stacks and Brick Wall Repair, Contract No. P99-2016-C1A.
(Messrs. Faucher and Terzian recommend acceptance of the lowest bid received, that of J.W.H. Construction, Inc., of \$43,605.00).
The Commission V O T E D: to accept the lowest bid received, that of J.W.H. Construction, Inc., of \$43,605.00.
2. Report of Mrs. Overton Bussell, June 8, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to solicit for consulting services, Project No. P98-1937-D1A, for Boston Harbor Beaches Wollaston Beach Rehabilitation Project.
Estimated Cost - \$750,000.00 for design.
Time for Performance - twelve to eighteen months.
Account Nos. 2440-8956 and 2490-8915.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit for consulting services, Project No. P98-1937-D1A, for Boston Harbor Beaches Wollaston Beach Rehabilitation Project.
3. Report of Messrs. Faucher and Gearheart, June 11, requesting approval of an extension of time from April 30, 1999 to July 31, 1999, on Contract No. P82-1112-C2A, with Early and Sons, Inc., for Peddocks Island Pier Replacement.
(The extension of time is requested under provisions of Article XXII, at no increase in Contract cost. The extension will in no way affect the liquidated damages provisions of Article XXI, and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract).
The Commission V O T E D: to approve an extension of time, for administrative purposes only, under the provisions of Article XXII, from April 30, 1999 to July 31, 1999, as recommended by Messrs. Faucher and Gearheart, in their report of June 11, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provisions of Article XXI, and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

1.

Report of Messrs. Faucher, Brooks and Mayhew, June 10, recommending that the Commission ratify the action of Deputy Commissioner Faucher resulting in Alteration No. 1 - modification to restroom foundation - at a cost of \$15,674.11 - on Contract No. PL82-1022-C2A, with T. Cooney Company, for Paul Revere Landing Restrooms. \$5,000.00 will be utilized from Item No. 3 - concrete - which was to be for the foundation. Additional funding in the amount of \$10,674.11 - from Account No. 2449-6033, for a total of \$15,674.11.

The Commission V O T E D: to ratify the action of Deputy Commissioner Faucher, which resulted in Alteration No. 1, on Contract No. PL82-1022-C2A.

The Commission further V O T E D: to approve Alteration No. 1, in the amount of \$15,674.11, as recommended by Messrs. Faucher, Brooks and Mayhew in their report of June 10, 1999.

Action was taken upon the following matter relating to the Watershed Management Division:

2.

Report of Messrs. McGinn and Baratta, March 1, requesting that the Contract Administrator be authorized to negotiate Amendment No. 6, at a cost not-to-exceed \$308,840.00, on Contract No. WM95-061-D1A, with Weston and Sampson Engineers, Inc., for Master Sewer System Design - West Boylston and Holden.

Amendment No. 6 - increases the budget and increases the level of effort/scope of services to include services for unanticipated design costs associated with a sewer crossing at the reservoir. Messrs. McGinn and Baratta further request authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Funding from Account No. 2420-7961.

The Commission V O T E D: to authorize the Contract Administrator to negotiate Amendment No. 6, at a cost not-to-exceed \$308,840.00, on Contract No. WM95-061-D1A, with Weston and Sampson Engineers, Inc., for Master Sewer System Design - West Boylston and Holden.

The Commission further V O T E D: to authorize Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following Various Matters:

3.

Report of Mrs. Overton Bussell, June 8, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to solicit for consulting services, Project No. P98-1937-D1A, for Boston Harbor Beaches Wollaston Beach Rehabilitation Project.

Estimated Cost - \$750,000.00 for design.

Time for Performance - twelve to eighteen months.

Account Nos. 2440-8956 and 2490-8915.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to solicit for consulting services, Project No. P98-1937-D1A, for Boston Harbor Beaches Wollaston Beach Rehabilitation Project.

Report of Mrs. Davidge, June 9, requesting approval of the purchase and installation of two banners in Paul Revere Park, advertising the park and special events planned for its opening. Time of Performance - estimated at eight weeks from

Notice-to-Proceed.

Cost - not-to-exceed \$11,300.00.

Account No. 2449-6033.

The Commission V O T E D: Approved.

Adjourned at 9:55 a.m., to meet on Thursday, June 24, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Ninety Seventh (3897th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, June 24, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on June 3, 1999, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Fourth Amendment, dated June 24, 1999, to Contract-Agreement No. WM96-076-S1A, with Berkshire - Pioneer R C & D, for Private Forest Management Plans.
2. Contract No. P99-1993-C1A, dated June 24, 1999, with E. A. Colangeli Construction Company, Inc., for Porcelain Enamel Joint Repairs at Charles River Dam, Boston.
3. Contract No. P99-1992-C1A, dated June 24, 1999, with N.E.L. Corporation, for Remedial Repairs to John J. Beades Drawbridge, Boston.
4. Concession Permit-Agreement, dated June 24, 1999, with Sterling Food Management, for Operation of the Concession at the Edward J. McCormack, Jr., Bathhouse, Carson Beach, South Boston.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher, Brooks and Mayhew, June 15, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-2026-C1A, for Demolition of Single Story Building and Steel Hopper, Stoneham.
Estimated Cost - \$50,000.00.
Project to be completed - no later than 30 days after Notice to Proceed.
Funding from Account No. 2440-2000.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-2026-C1A, for Demolition of Single Story Building and Steel Hopper, Stoneham.
6. Report of Messrs. Faucher and Lenhardt, June 7, recommending the following on Contract No. P93-1672-E3A, with B & E Construction Co., Inc., for Emergency Structural Repairs to Woods Memorial Bridge, Everett/Medford -
 - (a) That work be accepted as completed November 29, 1998.
 - (b) That reserve, in the amount of \$24,984.76, be approved for payment.
(Basis of Award - \$283,166.00)
(Amount to Date - \$499,695.29)

(Contract Performance Rating - 4.33)
(EEO Compliance - 3.40)

The Commission V O T E D: that the work of B & E Construction Co., Inc., Contractor under Contract No. P93-1672-E3A, be and hereby is accepted as completed as of November 29, 1998.
The Commission further V O T E D: to approve release of reserve, in the amount of \$24,984.76, for payment.

1. Report of Mrs. O'Brien and Messrs. Faucher and Griffin, June 9, recommending approval of the action of Deputy Commissioner Faucher, resulting in a Revision in Quantities on Item No. 035-010 - for Cleaning of Existing Metal Fencing, at a cost of \$1,540.00, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 021-020 - Seeding).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in a Revision in Quantities on Item No. 035-010, on Contract No. PL82-1022-C1A.
The Commission further V O T E D: to approve the Revision in Quantities, in the amount of \$1,540.00.
2. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, June 7, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 10 - for Installation of Watertight Spillway Covers at the Fuel Tanks - at a cost of \$1,564.17, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 002-213 - Removal of Wood Piling).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 10, on Contract No. PL82-1022-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 10, in the amount of \$1,564.17.
3. Report of Messrs. Faucher and DiRamio, June 4, requesting approval of a Revision in Quantities on Item No. 002-360 - Steel Sheeting Left in Place - at an additional cost of \$57,741.00, on Contract No. P95-1783-C1A, with B & E Construction Co., Inc., for Rehabilitation of Constitution Beach, East Boston.
(Funding from Account No. 2440-8956).
4. Report of Messrs. Faucher, Brooks and Mayhew, June 16, recommending approval of the action of Deputy Commissioner Faucher resulting in a Revision in Quantities on Item No. 001-040 - Sealing and Caulking, at a cost of \$26,410.00, and Extra Work Order No. 1 - Preparation, Caulking and Painting Wading Pools at the Watertown and Cambridge locations - at a cost of \$5,289.00 - for a total of \$31,699.00, on Contract No. P99-1990-C1A, with B.S.A. Painting Company, Inc., for Waterblasting and Painting Pools in Watertown, Roxbury and Cambridge, (McCrehan).
(The revision and extra work will partially offset by unused

quantities in Item Nos. 001-010 - Waterblasting, 001-030 - Concrete Patching, and 001-040 - Painting.
Additional funding in the amount of \$14,291.85, from Account Nos. 2440-8798 and 2440-8885.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in a Revision in Quantities on Item No. 001-040 and Extra Work Order No. 1, on Contract No. P99-1990-C1A.

The Commission further V O T E D: to approve the Revision in Quantities on Item No. 001-040, in the amount of \$26,410.00.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$5,289.00.

1. Report of Messrs. Faucher, Brooks and Mayhew, June 16, recommending approval of an extension of time from April 1, 1999 to May 30, 1999, and ratification of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 3, for furnishing and installation of 1/4" thick polyethylene cladding on the exterior side of the dashboards - at a cost of \$9,337.98. Extra Work Order No. 4, for additional pulverizing of existing bituminous concrete and regrading of 292 square yards at Hull location - at a cost of \$1,416.20, and a Revision in Quantities, on Item No. 008-010 - pavement markings - at a cost of \$2,457.00, for a total of \$13,211.18, on Contract No. P98-1952-C2A, with D & R General Contracting, for Furnishing and Installing Three (3) Steel In-Line Dasherboard Systems in Revere, Medford and Hull.
Funding from Account No. 2440-8952.
The Commission V O T E D: to approve an extension of time from April 1, 1999 to May 30, 1999, as recommended by Messrs. Faucher, Brooks and Mayhew in their report of June 16, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further V O T E D: to ratify the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 3, Extra Work Order No. 4 and a Revision in Quantities on Item No. 008-010, on Contract No. P98-1952-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of \$9,337.98.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$1,416.20.
The Commission further V O T E D: to approve a Revision in Quantities on Item No. 008-010, in the amount of \$2,457.00.
2. Report of Messrs. Faucher, Brooks and Haider, June 16, on bids for Service and Maintenance of HVAC Systems at Various Flood Control/Navigational Sites, Contract No. P99-2002-M1A.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest corrected bid received, that of P. J. Kennedy & Sons, Inc., of \$44,760.00).
The Commission V O T E D: to accept the lowest corrected bid received, that of P. J. Kennedy & Sons, Inc., of \$44,760.00.
3. Report of Messrs. Faucher, Brooks and Haider, June 16,

recommending approval of extra work orders on Contract No. P98-1963-M1A, with Keystone Elevator, Co., Inc., for Service and Maintenance of Elevators at Various Locations, as follows -

Extra Work Order No. 3 \$11,878.40

Remove, Repair and re-install the stage lift at the Hatch Shell

Extra Work Order No. 4 \$ 2,318.10

Replace obsolete controllers at MDC Headquarters Building

Total - \$14,196.50

Funding from Account No. 2440-0010.

The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of \$11,878.40.

The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of \$2,318.00.

1. Report of Messrs. Faucher, Brooks and Abounaja, May 25, recommending approval of the request of Environmental Restoration, Inc., for an extension of time from June 30, 1999 to December 31, 1999, on Contract No. P95-1792-C1B, for Lead Paint Removal at Various MDC Facilities, to complete lead paint removal work.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from June 30, 1999 to December 31, 1999, as recommended by Messrs. Faucher, Brooks and Abounaja, in their report of May 25, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
2. Report of Messrs. Faucher, Brooks and Abounaja, June 11, recommending approval of the request of SCS Environmental Services, Inc., for an extension of time from June 30, 1999 to October 30, 1999, on Contract No. P88-1548-C4A, for Asbestos Abatement at Various MDC Facilities, due to need to complete asbestos abatement work at various facilities.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from June 30, 1999 to October 30, 1999, as recommended by Messrs. Faucher, Brooks and Abounaja, in their report of June 11, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
3. Report of Messrs. Faucher, Brooks and Mayhew, June 22, recommending approval of an extension of time from June 20, 1999 to July 2, 1999, on Contract No. P99-1973-C1A, with Titan Roofing, Inc., for Replacement of Roof at the Hall Swimming Pool Bathhouse, Stoneham, due to the need to complete correspondence.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from June 20, 1999 to July 2, 1999, as recommended by Messrs. Faucher, Brooks and Mayhew, in their report of June 22, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Brooks and Haider, June 21, on bids for Service and Maintenance to Underwater Structures at Various Flood Control/Navigational Sites, Contract No. P99-2003-M1A. (Messrs. Faucher, Brooks and Haider recommend acceptance of the only bid received, that of Inner Space Services, Inc., of \$105,417.24).
The Commission V O T E D: to accept the only bid received, that of Inner Space Services, Inc., of \$105,417.24.
2. Report of Messrs. Faucher, Brooks and Haider, June 21, on bids for Service and Maintenance to Hydraulic Power Systems at Various Flood/Control/Navigational Sites, Contract No. P99-2004-M1A. (Messrs. Faucher, Brooks and Haider recommend acceptance of the only bid received, that of The Entwistle Company, corrected to \$76,740.00).
The Commission V O T E D: Held Over.
3. Report of Messrs. Faucher, Brooks and Haider, June 21, on bids for Service and Maintenance to HVAC Systems at Various MDC Facilities - (two years), Contract No. P99-2005-M1A. (Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of P. J. Kennedy & Sons Inc., of \$131,800.00).
The Commission V O T E D: to accept the lowest bid received, that of P. J. Kennedy & Sons Inc., of \$131,800.00.
4. Report of Messrs. Faucher and Terzian, June 21, requesting approval of the request of the Contractor for an extension of time from July 3, 1999 to August 31, 1999, on Contract No. P98-1940-C1A, with Tasco Construction Company, Inc., for Removal/Replacement of Culvert Gates & Sluice Gates at Charles River Dam.
(The extension is for administrative purposes only under provisions of Article XXII, at no increase in Contract cost. The extension will in no way affect the liquidated damages provision of Article XXI, and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract).
The Commission V O T E D: to approve an extension of time from July 3, 1999 to August 31, 1999, for administrative purposes only, under the provisions of Article XXII, as recommended by Messrs. Faucher and Terzian, in their report of June 21, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provision of Article No. XXI, that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.
5. Report of Messrs. Faucher and Gearheart, June 17, requesting approval and authorization to solicit bids for Assembly and Installation of 25 Picnic Benches, Nantasket Beach, Hull.
Budgeted Cost - \$9,900.00.
Time of Performance - three weeks.
Account No. 2440-8952.

The Commission V O T E D: approval and authorization to solicit bids for Assembly and Installation of 25 Picnic Benches, Nantasket Beach, Hull, as recommended by Messrs. Faucher and Gearheart, in their report of June 17, 1999.

1. Report of Messrs. Faucher, Brooks and Mayhew, June 16, recommending approval of Extra Work Order No. 1 - for rebuilding the Chimney - at a cost of \$5,500.00 and feather joints at underside of roof planks between new and existing concrete planks - at a cost of \$3,000.00 - at a total of \$8,500.00, on Contract No. P99-1973-C1A, with Titan Roofing, Inc., for Replacing the Roof at the Hall Pool Bathhouse, Stoneham.
Funding from Account No. 2440-8885.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$8,500.00.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Pula, June 16, on proposals for the purchase of forest products located on the Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Forward Enterprise, of \$10,300.00; to purchase approximately 81,656 board feet of timber, 50 cords of hardwood and 267 cords of softwood on Timber Lot No. 159 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Forward Enterprise, of \$1,700.00; to purchase approximately 4,509 board feet of timber and 163 cords of firewood on Timber Lot No. 160 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Forward Enterprise, of \$1,600.00 to purchase approximately 4,320 board feet of timber and 154 cords of firewood on Timber Lot No. 161 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Forward Enterprise, of \$6,840.00; to purchase approximately 83,000 board feet of timber, 144 cords of firewood and 70 tons of whole tree wood on Timber Lot No. 278AA - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Forward Enterprise, of \$9,000.00; to purchase approximately 117,000 board feet of timber and 64 tons of whole tree wood on Timber Lot No. 258 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Forward Enterprise, of \$9,950.00; to purchase approximately 72,000 board feet of timber and 200 cords of firewood on Timber Lot No. 283 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Trowbridge Forest Products, of \$46,000.00; to purchase approximately 409,000 board feet of timber, 63 cords of hardwood, 730 tons of softwood, 70 tons of whole tree wood and 20 marked culls on Timber Lot No. 844 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Prentiss & Carlisle, of \$44,203.00; to purchase

approximately 271,865 board feet of timber, 43 cords of hardwood and 178 cords of softwood on Timber Lot No. 845 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Prentiss & Carlisle, of \$31,302.00; to purchase approximately 192,292 board feet of timber, 88 cords of hardwood and 114 cords of softwood on Timber Lot No. 846 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Wagner Wood, of \$35,000.99; to purchase approximately 225,500 board feet of timber, 325 cords of hardwood and 12 tons of softwood on Timber Lot No. 847 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Allard Bros., of \$19,646.37; to purchase approximately 152,000 board feet of timber, 110 cords of firewood and 88 tons of softwood on Timber Lot No. 848 - Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn, French and Taylor, April 27, recommending the following on Contract No. WM98-075-S1A, with University of Massachusetts/Amherst, Division of Civil and Environmental Engineering, for Management Strategy for the Ware River Watershed -

(a) That work be accepted as completed as of October 30, 1998.

(b) That Invoice No. 1 (Final), in the amount of \$33,263.85, be approved for payment.

(Basis of Award - \$35,000.00)

(Amount to Date - \$33,263.85)

(Contract Performance Rating - 8.75 with 10.00 being excellent)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of University of Massachusetts/Amherst, Division of Civil and Environmental Engineering, Contractor under Contract No. WM98-075-S1A, be and hereby is accepted as completed as of October 30, 1998.

The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of \$33,263.85, for payment.

2. Report of Mr. McGinn, June 8, requesting renewal and authorization for Commissioner Balfour to execute on behalf of the Commission a renewal Contract with Ronald E. Sharpin, Ph.D, P.E., for Wastewater Program Management Services - at a cost not-to-exceed \$53,366.00, which includes \$5,000.00, for expenses and contract related travel.
Time for Performance - July 1, 1999 through June 30, 2000.
Funding from Account No. 2420-1400 HH.
The Commission V O T E D: Approved as recommended by Mr. McGinn, in his report of June 8, 1999.
It was noted that the Contract also included a signature page for the Associate Commissioners.
Therefore, the Commissioner and four Associate Commissioners signed the Contract, dated June 24, 1999, with Ronald E. Sharpin, Ph.D, P.E., for Wastewater Program Management Services.

1.

Report of Mr. McGinn and Miss Austin, June 8, requesting that the Commission terminate Contract No. WM98-028-S1A, with the University of Massachusetts at Amherst, Department of Civil and Environmental Engineering, for Water Quality in MDC Reservoirs: Organic Material, Algae and Modeling, as of June 30, 1999.

Mr. McGinn and Miss Austin further request that the Commission approve Contract No. WM99-056-S1A, with the University of Massachusetts at Amherst, for Water Quality in MDC Reservoirs. Time for Performance - twenty four months.

\$223,176.00 - FY2000

\$217,115.00 - FY2001

Total Cost - \$440,291.00

Funding for FY2000 from Account No. 2420-1400.

Funding for FY2001 - contingent upon allocation in FY2001 budget.

The Commission V O T E D: to terminate Contract No.

WM98-028-S1A, with the University of Massachusetts at Amherst, Department of Civil and Environmental Engineering, for Water Quality in MDC Reservoirs: Organic Material, Algae and Modeling, as of June 30, 1999.

The Commission further V O T E D: to approve Contract No.

WM99-056-S1A, with the University of Massachusetts at Amherst, for Water Quality in MDC Reservoirs, as requested by Mr. McGinn and Miss Austin in their report of June 8, 1999.

Action was taken upon the following Various Matters:

2.

Report of the Concession Selection Committee, June 14, recommending that the Commission rescind its vote of May 27, 1999, awarding the four year (1999 - 2000 - 2001 - 2002) mobile vending permit at Sandy Beach, Winchester, to Dylan and Pete's Ice Cream.

The Concession Selection Committee further recommends that the Commission award the four year (1999 - 2000 - 2001 - 2002) mobile concession permit for Sandy Beach, Winchester, to Nick Papageorgiou, d/b/a Nick's Canteen Service, 69 Sladen Street, Dracut, MA 01826, the second highest bidder, with a bid of \$3,100.00 per year, for a four year total of \$12,400.00.

The Commission V O T E D: to rescind its vote of May 27, 1999, awarding the four year (1999 - 2000 - 2001 - 2002) mobile vending permit at Sandy Beach, Winchester, to Dylan and Pete's Ice Cream.

The Commission further V O T E D: to award the four year (1999 - 2000 - 2001 - 2002) mobile concession permit for Sandy Beach, Winchester, to Nick Papageorgiou, d/b/a Nick's Canteen Service, 69 Sladen Street, Dracut, MA 01826, the second highest bidder, with a bid of \$3,100.00 per year, for a four year total of \$12,400.00.

The Commission further V O T E D: to authorize the Secretary to execute the Permit Agreement on behalf of the Commission.

3.

Report of Mrs. Overton Bussell and Mr. Traficante, June 14, recommending approval and execution of Amendment No. 5, for an extension of time from June 30, 1999 to July 31, 1999, on Contract No. P95-1766-X1A, with Covino Environmental Associates, Inc., for Industrial Hygiene Services, due to the need to complete anticipated inspection and monitoring of MDC facilities,

abatement jobs and other work.

(At no additional Contract cost).

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment No. 5, dated June 24, 1999, on Contract No. P95-1766-X1A, with Covino Environmental Associates, Inc., which was signed by the Commissioner and four Associate Commissioners.

1. Report of Mr. Jewett, June 17, requesting approval and execution of a Telecommunications System Agreement between the Metropolitan District Commission and the Commonwealth Zoological Corporation d/b/a Zoo New England (ZNE), to formalize the Corporations usage of the Commission's 800 MHZ Smartnet Telecommunications System, for a term of five years, beginning on the first day of the month following execution of the Agreement and shall terminate on the last day of the month at the end of the five year period.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of June 17, 1999.
The Secretary then submitted for signature Telecommunications System Agreement, dated June 24, 1999, between the Metropolitan District Commission and the Commonwealth Zoological Corporation d/b/a Zoo New England (ZNE), which was signed by the Commissioner and four Associate Commissioners.
2. Report of Mrs. O'Brien and Mr. Corsi, June 4, requesting approval and execution of Amendment No. 3, for an extension of time from June 30, 1999 to June 30, 2000, on Contract No. PL92-007-S1C, with Goody, Clancy & Associates, Inc., for Charles River Basin Master Plan, due to need to complete Task VIII and Task VII.
(At no additional Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 3, dated June 24, 1999, to Contract No. PL92-007-S1C, with Goody, Clancy & Associates, Inc., which was signed by the Commissioner and four Associate Commissioners.
3. Report of Mrs. O'Brien and Mr. Corsi, June 4, requesting approval and execution of Amendment No. 1, for an extension of time from June 30, 1999 to June 30, 2000, on Contract No. PL95-031-D1A, with Moriece & Gary, Inc., for Design of Abigail Adams Park, due to the need to complete Task V, Task VI and Task VII.
(At no additional Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 1, dated June 24, 1999, to Contract No. PL95-031-D1A, with Moriece & Gary, Inc., which was signed by the Commissioner and four Associate Commissioners.
4. Report of Mrs. O'Brien, May 29, recommending the following on Contract No. PL98-051-D1A, with Aquatic Control Technology, Inc., for Charles River Lakes District, Weed Harvesting Program -
 - (a) That work be accepted as completed as of January 29, 1999.
 - (b) That Estimate No. 5 (Final), in the amount of \$1,542.50, be approved for payment.
 - (c) That reserve, in the amount of \$12,551.46, be approved for payment.

The first part of the paper discusses the importance of the study and the objectives of the research. It also mentions the scope of the study and the limitations of the study.

The second part of the paper discusses the methodology used in the study. It mentions the data sources and the data collection methods used in the study.

The third part of the paper discusses the results of the study. It mentions the findings of the study and the conclusions drawn from the study.

The fourth part of the paper discusses the implications of the study. It mentions the practical implications of the study and the theoretical implications of the study.

The fifth part of the paper discusses the limitations of the study. It mentions the limitations of the study and the limitations of the study.

The sixth part of the paper discusses the conclusions of the study. It mentions the conclusions of the study and the conclusions of the study.

The seventh part of the paper discusses the future research. It mentions the future research and the future research.

The eighth part of the paper discusses the references. It mentions the references of the study and the references of the study.

(Basis of Award - \$150,000.00)

(Amount to Date - \$127,057.14)

(Contract Performance Rating - 8.00 with 10.00 being
excellent)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of Aquatic Control Technology, Inc., Contractor under Contract No. PL98-051-D1A, be and hereby is accepted as completed as of January 29, 1999.

The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$1,542.50, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$12,551.46, for payment.

1. Report of Mrs. Davidge, June 21, on proposals for Fabrication and Installation of Two Banners for Paul Revere Park.
(Mrs. Davidge recommends acceptance of the bid of Heritage Flag Company, of \$11,300.00).
Mrs. Davidge further recommends that the Commission execute the Contract.
The Commission V O T E D: to accept the bid of Heritage Flag Company, of \$11,300.00, for Fabrication and Installation of Two Banners for Paul Revere Park.
The Secretary then submitted for signature Contract, dated June 24, 1999, with Heritage Flag Company, which was signed by the Commissioner and four Associate Commissioners.
2. Report of Mr. French, June 22, requesting approval and execution of Amendment No. 1, for an extension of time from June 30, 1999 to December 31, 1999, on Service Contract with Vitale Caturano & Co., P.C., for Refining Fiscal and Economical Analysis for Recreational Complex Prototype, to allow the consultant additional time to complete its refinement of the fiscal and economic analysis.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 1, dated June 24, 1999, on Service Contract with Vitale Caturano & Co., P.C., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Office of General Counsel:

3. Report of Mr. Gray, June 21, recommending that the Commission adopt an order of taking for the acquisition of approximately 6.855 acres of land owned by various landowners located in the Towns of Holden and West Boylston and the City of Worcester, relating to the MDC Waste Water Project No. WM97-061-C1A, for sewer, sewage pumping and drainage purposes, and to approve awards of damages in the total amount of \$381,820.00, together with such damages and costs as required under General Laws, Chapter 79, sections 6, 12, 39 and 44A; and further recommending the acquisition of any and all temporary rights-of-way in and to the roads and ways under the control of the Towns of Holden and West Boylston and the City of Worcester required to complete said

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be carefully documented to ensure the integrity of the financial data. This includes recording dates, amounts, and the nature of the transactions.

Furthermore, the document highlights the need for regular audits and reconciliations. By comparing the internal records with external statements, discrepancies can be identified and corrected promptly. This process not only ensures accuracy but also provides a clear trail of the company's financial activities.

In addition, the document stresses the importance of transparency and communication. All stakeholders should be kept informed of the financial status of the organization. Regular reports and meetings can help in understanding the current position and planning for the future.

The second part of the document focuses on the implementation of these principles. It provides a detailed guide on how to set up a robust accounting system, including the selection of appropriate software and the training of staff. It also outlines the necessary controls to prevent fraud and ensure the security of the financial information.

Finally, the document concludes by reiterating the importance of a strong financial foundation for the long-term success of the organization. By adhering to these guidelines, the company can achieve financial stability and growth.

Project, at no compensation, in anticipation of transferring the aforesaid rights and easements upon the completion of said construction and further recommending the transfer of any and all rights and interests in real property acquired for said Project and in the sewer, sewage pumping and drainage constructed under said Project, upon the completion of the construction, to the appropriate parties as designated and otherwise authorized under sections 2 and 63 of Chapter 15 of the Acts of 1996, as determined by the Division of Watershed Management, and for all purposes consistent with said Act. Account No. 2420-7961.

The Commission V O T E D: to adopt an order of taking for the acquisition of approximately 6.855 acres of land owned by various landowners located in the Towns of Holden and West Boylston and the City of Worcester, relating to the MDC Waste Water Project No. WM97-061-C1A, for sewer, sewage pumping and drainage purposes.

The Commission further V O T E D: to approve awards of damages in the total amount of \$381,820.00, together with such damages and costs as required under General Laws, Chapter 79, sections 6, 12, 39 and 44A.

The Commission further V O T E D: to approve the acquisition of any and all temporary rights-of-way in and to the roads and ways under the control of the Towns of Holden and West Boylston and the City of Worcester required to complete said Project, at no compensation, in anticipation of transferring the aforesaid rights and easements upon the completion of said construction.

The Commission further V O T E D: to transfer of any and all rights and interests in real property acquired for said Project and in the sewer, sewage pumping and drainage constructed under said Project, upon the completion of the construction, to the appropriate parties as designated and otherwise authorized under sections 2 and 63 of Chapter 15 of the Acts of 1996, as determined by the Division of Watershed Management, and for all purposes consistent with said Act.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, June 24, 1999

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Sections 2 and 63 of Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take for watershed preservation, protection and operation purposes, and for sewer, sewage pumping and draining purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Holden, West Boylston and in the City of Worcester in the County of Worcester and Commonwealth of Massachusetts, on behalf of said Towns of Holden, West Boylston, namely:

Eighty-six (86) permanent easement interests in, on, under, to and through certain parcels of land, and Five (5) fee interests in Five (5) parcels of land, all as situated in said Towns and in said City of Worcester and shown on Three (3) sets of plans of Land in Holden, West Boylston and Worcester, MA, prepared for Weston and Sampson Engineers, Inc. Peabody, MA, by Vaidya Consultants, Inc., Wilmington, MA, by John D. Church, P.L.S., on behalf of the Metropolitan District Commission Division of Watershed Management, [Holden plans] dated January 21, 1999, sheets 2, 5, 7, & 8 revised June 2, 1999, and [West Boylston and Worcester plans] dated January 11, 1999, sheets 4, 5, 6, 7, 8, 9 & 11 revised June 2, 1999; and supplemental sheet to MDC Contract 97-3H dated June 10, 1999, which plans are on file with said Commission and which plans shall be recorded either simultaneously with this order of taking or at a later date with the Worcester District Registry of Deeds and incorporated herein and made a part of this order.

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The Commission awards damages sustained by the supposed owners of the land herein mentioned by reason of said taking, in the following sum:

| Owners | Easement or Fee Number | Acreage | Book Page | Award of Damages |
|--|------------------------------|---------|-----------------------|---------------------|
| Easements and Fee Takings Town of Holden MDC Contract 97-1H | | | | |
| Bennett, Carol A #W-000584 | 7 | 0.3539 | 16233/5342 183/586 | \$13,000.00 |
| Bowie, Steven M & Jennifer L #W-000755 | 15 | 0.0720 | 20401 159 | \$7,000.00 |
| Burgess, Carl M & Paula J #W-000586 | FEE # 1 | 0.0218 | 19891 274 | \$17,000.00 |
| Burgess, Carl M & Paula J #W-000586 | 1 | 0.2286 | 19891 274 | \$1,000.00 |
| Campbell, C Graham & Bonnie J #W-000592 | 10 | 0.0380 | 12140 265 | \$2,500.00 |
| Donelson, Robert N & Clare S #W-000590 | 9 | 0.0421 | 9236 330 | \$2,800.00 |
| Farley, John F & Joellen #W-000589 | 8 | 0.0403 | 9838 173 | \$2,700.00 |
| Fletcher, Richard & Eleanor #W-000538 | FEE # 3 | 0.0729 | 4003 309 | \$21,500.00 |
| Fletcher, Richard & Eleanor #W-000538 | 4 | 0.0545 | 4003 309 | \$3,500.00 |
| Garrity, Christopher P & Ann Marie #W-000587 | FEE # 2 | 0.1526 | 17133 19 | \$31,000.00 |
| Garrity, Christopher P & Ann Marie #W-000587 | 2 | 0.0919 | 17133 19 | \$1,000.00 |
| Gewandter, Katherine A #W-000593 | 5 | 0.2143 | 16770 341 | \$23,000.00 |
| Hall, Pamela M & Donald P #W-000757 | 17 | 0.0456 | 13206 197 | \$4,500.00 |

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| Owners | Easement or Fee Number | Acreage | Book Page | Award of Damages |
|--|------------------------------|---------|----------------------|---------------------|
| Hall, Pamela M & Donald P #W-000757 | 18 | 0.0161 | 13503 387 | \$1,600.00 |
| Harrington, Joseph D Jr & Cynthia M #W-000597 | 14 | 0.1607 | 20145 107 | \$10,500.00 |
| Hurley, James A & Patricia A #W-000591 | 11 | 0.0305 | 11869 45 | \$2,000.00 |
| Jones, Helen M #W-000756 | 16 | 0.0412 | 17256 220 | \$3,400.00 |
| Kaupilla, Geln S & Neil E #W-000758 | 19 | 0.0074 | 11050 336 | \$800.00 |
| MacPherson, Malcolm J & Sandra L #W-000595 | 12 | 0.0638 | 9967 334 | \$4,200.00 |
| Marshall, Wilma S #W-000596 | 13 | 0.0033 | 8056 130 | \$220.00 |
| Roeder, Harold I & Miriam C #W-000585 | 6 | 0.0236 | 5260 95 | \$1,600.00 |
| Ross, Thomas A & Denise M #W-000588 | 3 | 0.0649 | 5887/6591 222/150 | \$1,000.00 |
| Ursin, David M & Diane L #W-000594 | FEE # 4 | 0.0402 | 14902 340 | \$27,000.00 |

Easement Takings - Town of Holden
 MDC Contract 97-3H

| | | | | |
|---|----|--------|--------------|------------|
| Oliver, William V & Viola A #W-000767 | 19 | 0.2250 | 3886 333 | \$1,000.00 |
| Turner, Kevin R & Jennifer L #W-000766 | 18 | 0.0225 | 20757 321 | \$1,000.00 |

Easements and Fee Takings Town of West Boylston
 MDC Contract 97-4W

| | | | | |
|---|----|--------|--------------|------------|
| Aucoin, Lionel G Robertson, James T #W-000540 | 29 | 0.0573 | 20957 70 | \$1,700.00 |
| Boehm, Arthur S & Lynne M #W-000547 | 37 | 0.0545 | 18606 108 | \$1,600.00 |

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| Owners | Easement or Fee Number | Acreage | Book Page | Award of Damages |
|---|------------------------------|---------|---------------------|---------------------|
| Bostek, Joseph F & Patricia E #W-000752 | 55 | 0.0578 | 4859 172 | \$1,700.00 |
| Boylston Acquisition Limited Partnership Rose, William B and all Trustees #W-000719 | 58 | 0.0502 | 16436 197 | \$4,400.00 |
| Buono, Paul A & Tina M #W-000543 | 28 | 0.0860 | 19199 05 | \$2,500.00 |
| Casamasima, John A & David J #W-000602 | 6A | 0.0485 | 13995 185 | \$1,400.00 |
| Casamasima, John A & David J #W-000602 | 6B | 0.0726 | 13995 185 | \$2,100.00 |
| Chestna, Mark A & Michelle A #W-000732 | 24 | 0.0573 | 12644 335 | \$1,700.00 |
| Cohen, Theresa #W-000726 | 3 | 0.0043 | 18711 67 | \$500.00 |
| Dame, Kevin M & Sandra P #W-000748 | 51 | 0.0082 | 9604 399 | \$500.00 |
| Dame, Kevin M & Sandra P #W-000748 | 52 | 0.0048 | 6913 309 | \$500.00 |
| DeSanti, Arturo & Vernada #W-000730 | 22 | 0.0143 | 3838 471 | \$500.00 |
| Flagg, Allan B & Lousie #W-000600 | 5A | 0.1645 | 9413 304 | \$4,700.00 |
| Flagg, Allan B & Lousie #W-000600 | 5B | 0.0713 | 9413 304 | \$2,100.00 |
| Gallupe, Julian T & Edith M #W-000601 | 7 | 0.0860 | 3864 539 | \$2,500.00 |
| Herlihy, Joseph Jr. #W-000723 | 16 | 0.0573 | 7998/7751 370/57 | \$1,700.00 |
| Hunt, Albin W & Cynthia J #W-000745 | 48 | 0.0832 | 6202 80 | \$2,400.00 |
| Isgro, Salvatore & Wendy Jean #W-000722 | 15 | 0.1147 | 6947 338 | \$3,300.00 |

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| Owners | Easement or Fee Number | Acreage | Book Page | Award of Damages |
|---|------------------------------|---------|--------------|---------------------|
| Johnson, Brenda #W-000746 | 49 | 0.3500 | 16460 363 | \$10,100.00 |
| Johnson, Raymond a & Martha J #W-000731 | 23 | 0.0573 | 9511 101 | \$1,700.00 |
| Kistler, Walter A & Joyce B #W-000579 | FEE # 1 | 0.0319 | 5028 164 | \$67,800.00 |
| Knox, Robert P & Josephine J #W-000539 | 32 | 0.0573 | 4547 260 | \$1,700.00 |
| LaCroix, David M & Kristin K #W-000721 | 10 | 0.0581 | 20235 53 | \$1,700.00 |
| Latuga, Dorothy B & Ordway, Allan H #W-000541 | 13A | 0.0713 | 17464 105 | \$2,100.00 |
| Latuga, Dorothy B & Ordway, Allan H #W-000541 | 13B | 0.1193 | 17464 105 | \$3,400.00 |
| Lavigne, Maureen E #W-000548 | 33 | 0.0573 | 19312 285 | \$1,700.00 |
| Leonardi, John P., et al #W-000729 | 18A | 0.0713 | 16567 225 | \$2,100.00 |
| Leonardi, John P., et al #W-000729 | 18B | 0.0376 | 16567 225 | \$1,100.00 |
| Loftus, Sandra A Sullivan, Lu Ann #W-000753 | 57 | 0.0737 | 18464 248 | \$2,100.00 |
| Lundsten, Fritz & Elsie E #W-000599 | 9 | 0.0212 | 4035 377 | \$600.00 |
| Malcolmson, John #W-000534 | 4 | 0.1322 | 21191 296 | \$3,800.00 |
| McCracken, Joanna M #W-000598 | 8 | 0.0499 | 16676 246 | \$1,400.00 |

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| Owners | Easement or Fee Number | Acreage | Book Page | Award of Damages |
|--|------------------------------|---------|-----------------------|---------------------|
| Meola, Anthony A & Sons c/o Gertrude Meola #W-000725 | 20A | 0.2609 | 5120 218 | \$7,500.00 |
| Meola, Anthony A & Sons c/o Gertrude Meola #W-000725 | 20B | 0.0764 | 5120 218 | \$2,200.00 |
| Meola, Anthony A & Sons #W-000724 | 17 | 0.0286 | 7998 380 | \$800.00 |
| Mercurio, Adam L & Constance M #W-000735 | 30 | 0.0286 | 5616 39 | \$800.00 |
| Mercurio, Adam L & Constance M #W-000544 | 11 | 0.0875 | 11964/5718 186/137 | \$2,500.00 |
| Mercurio, Adam L #W-000544 | 12 | 0.0286 | 2833 562 | \$800.00 |
| Nixon, John R & Carolyn J #W-000744 | 47 | 0.2213 | 11455 270 | \$6,400.00 |
| Nolan, Thomas C & Nancy A #W-000749 | 53 | 0.0069 | 11273 305 | \$500.00 |
| Novia, Dennis R & Paula J #W-000733 | 25 | 0.0573 | 6495 214 | \$1,700.00 |
| Novia, Dennis R & Paula J #W-000733 | 26 | 0.0860 | 6495 208 | \$2,500.00 |
| Parker, Stanley L & Dorothy L #W-000550 | 34 | 0.0286 | 4204 458 | \$800.00 |
| Parker, Stanley L & Dorothy L #W-000550 | 35 | 0.0573 | 3113 310 | \$1,700.00 |
| Proctor, Lee B #W-000545 | 31 | 0.0573 | 6750 226 | \$1,700.00 |
| Reidy, Kathleen A #W-000551 | 36 | 0.0258 | 16213 73 | \$700.00 |
| Renaud, Gary C & Susan M #W-000751 | 56A | 0.0645 | 17464 94 | \$1,900.00 |

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| Owners | Easement or Fee Number | Acreage | Book Page | Award of Damages |
|---|------------------------------|---------|--------------|---------------------|
| Renaud, Gary C & Susan M #W-000751 | 56B | 0.1128 | 17464 94 | \$3,200.00 |
| Renaud, Gary C & Susan M #W-000751 | 56C | 0.0249 | 17464 94 | \$700.00 |
| Roy, Arthur R & Anna M #W-000750 | 54 | 0.0033 | 3591 493 | \$500.00 |
| Smith, Stanley O & Kathleen V #W-000720 | 1 | 0.0968 | 3553 136 | \$2,800.00 |
| Solitto, Matthew J. Della M and Al #W-000542 | 14A | 0.0726 | 16560 206 | \$2,100.00 |
| Solitto, Matthew J. Della M and Al #W-000542 | 14B | 0.0607 | 16560 206 | \$1,700.00 |
| Spencer, Rita A #W-000727 | 21 | 0.0713 | 3321 565 | \$2,100.00 |
| Spencer, Rita L #W-000728 | 19A | 0.0726 | 3963 241 | \$2,100.00 |
| Spencer, Rita L #W-000728 | 19B | 0.0650 | 3963 241 | \$1,900.00 |
| Warbin, Rizpah M #W-000734 | 27 | 0.0573 | 5801 324 | \$1,700.00 |
| Town of West Boylston Water District #W-000533 | 2 | 0.1728 | 7816 165 | \$0.00 |
| Wood, Donald H & Sava L H #W-000747 | 50 | 0.0172 | 5894 262 | \$500.00 |

Easement Takings - City of Worcester
 MDC Contract 97-4W

| | | | | |
|--------------------------------|----|--------|--------------|------------|
| Brule, Trina M #W-000743 | 46 | 0.0326 | 18815 135 | \$900.00 |
| Cote, Richard S #W-000739 | 42 | 0.0361 | 16615 161 | \$1,000.00 |
| DiMaura, Louise E #W-000737 | 39 | 0.0320 | 3556 578 | \$900.00 |

| Owners | Easement or Fee Number | Acreage | Book Page | Award of Damages |
|--|------------------------------|---------|--------------|---------------------|
| Fields, Paul J & Carolyn L #W-000740 | 43 | 0.0214 | 4330 286 | \$600.00 |
| Geddes, Henry & Susanne #W-000736 | 38 | 0.0320 | 8486 44 | \$500.00 |
| LaPlume, Robert L #W-000742 | 45 | 0.0645 | 5365 478 | \$1,900.00 |
| Lenkarski, Julia McCormick, Helen B #W-000741 | 44 | 0.0305 | 11165 8 | \$900.00 |
| Noyes, Robert S & Doris E #W-000738 | 41 | 0.0286 | 19246 31 | \$800.00 |
| Towne Lynne Company DiMaura, Paul W & All Trustees #W-000765 | 40 | 0.0223 | 5127 317 | \$600.00 |

Meaning and intending to take hereby the above premises, howsoever, the same may be bounded and described, and comprising approximately 6.855 acres. Also meaning and intending to take hereby any and all temporary rights-of way in and to the roads and ways under the control of the Towns of Holden and West Boylston, Massachusetts, at no compensation, required to complete the construction of the MDC Waste Water Project No. WM97-061-C1A(97-1H) and WM97-061-C1A(97-4W) for sewer, sewage pumping and drainage purposes.

The Commission hereby expressly authorizes its Watershed Management Division to enter into any and all necessary memoranda of agreement and other agreements, permits and licenses on behalf of said Commission with other state or public agencies which may have control over highways, roads or ways, to ensure the proper access for, and the unimpeded construction of, said Project.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby transfer any and all rights and interests in real property acquired for said project and in and to the sewer and sewer pumping and drainage system constructed under said Project, upon the completion of said construction, to the appropriate parties as designated and otherwise authorized by said acts and provisions, as determined by its Division of Watershed Management, for all purposes consistent with said acts and provisions.

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1.

Report of Mr. Gray, June 21, recommending that the Commission adopt an order of taking for acquisition of approximately 1.24 acres of land owned by SDB Corporation, located in the City of Boston, Massachusetts, and to approve an award of damages in the amount of \$1,455,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and under General Laws, Chapter 79A; and further recommending that \$175,000.00 be withheld from that amount, as required, to be utilized by the owners or by the Commission to complete environmental remediation on site in accordance with regulations promulgated by the state Department of Environmental Protection. Account No. 2440-8960.

The Commission V O T E D: to adopt an order of taking for acquisition of approximately 1.24 acres of land owned by SDB Corporation, located in the City of Boston, Massachusetts.

The Commission further V O T E D: to approve an award of damages in the amount of \$1,455,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and under General Laws, Chapter 79A.

The Commission further V O T E D: to withhold \$175,000.00 from that amount, as required, to be utilized by the owners or by the Commission to complete environmental remediation on site in accordance with regulations promulgated by the state Department of Environmental Protection.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 24, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Dorchester District of the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

A certain parcel of upland and flats located at 62R Hill Top Street, lying on the southeasterly side of the former Dorchester & Milton Branch of the Old Colony Railroad, previously leased to the New York New Haven & Hartford Railroad, formerly of the Consolidated Rail Corporation and now of the Commonwealth of Massachusetts, acting by and through its Metropolitan District Commission, said parcel lying between the former railroad location and the northerly line of the Neponset River Channel and being shown as Parcel 2 upon a recorded plan cited below at the conclusion of this description, more particularly bounded and described as follows:

Beginning at a point in the southeasterly line of the Dorchester & Milton Branch of the Old Colony Railroad, now land of the Commonwealth of Massachusetts, MDC, and at land formerly of Keystone Manufacturing Co., now or formerly of Keystone Apartments Co. LPS, said point being at the

northernmost corner of the parcel herein being described,
thence running;

SOUTHERLY 380 feet, more or less, by land now or formerly of
Keystone Apartments Co. LPS, to a point in the northerly
line of the Neponset River Channel, thence turning and
running;

WESTERLY 125 feet, more or less, along the northerly line of
said Channel to a point at a corner of land, now or
formerly, of Richard A. Johnson, Trustee of C&J Realty
Trust, which abutting land is shown as Parcel 1 upon the
plan referenced below, thence turning and running;

NORTHERLY 160 feet, more or less, along said Parcel 1 to a
point, thence turning and running;

NORTHWESTERLY 53.33 feet, more or less, along said Parcel
1, thence turning and running;

SOUTHWESTERLY 33.12 feet, more or less, along said Parcel 1,
to a point in the southeasterly line of the former
Dorchester & Milton Branch of the Old Colony Railroad, being
at the southwesterly corner of the parcel herein being
described, thence turning and running;

NORTHEASTERLY 354.85 feet, along the former railroad line,
to the point of beginning.

Containing 54,200 square feet, more or less, as shown as
Parcel 2 upon a plan entitled "Plan of Land In Dorchester,
Mass. owned by Bessie E. Williams Showing Proposed
Subdivision and Right of Way", compiled from plans and
survey by George H. McKay Civil Engineer, dated February 21,
1944, which plan is recorded with Suffolk County Registry of
Deeds in Deed Book 6116 at Page 403.

The above described premises are further identified as a
subdivision of the northeasterly portions of Lots "A", "B",
and "C" shown upon a plan entitled "New Plan of Land of The
Dorchester Homestead Land Association on Cushing Hill
Dorchester", dated Boston December 21, 1914, prepared by
William E. Hannan, C.E., which plan is recorded with said
Deeds at the end of Book 4120.

ALSO meaning and intending to take hereby all appurtenant rights running with the above described premises, specifically including, but not necessarily limited to, the following rights:

The right to use forever, in common with others, the area from Hilltop Street to the Dorchester & Milton Branch of the Old Colony Railroad marked "Right of Way" on said McKay plan dated February 21, 1944, for the purpose of passage on foot or vehicle, and for the purpose of laying and maintaining water and sewer lines from Hilltop Street to the premises described herein, said right of way being bounded and described as follows:

NORTHWESTERLY 18.94 feet, by Hilltop Street;
NORTHEASTERLY 124.82 feet, by part of Parcel 3, as shown on said plan;
SOUTHEASTERLY 16.89 feet, by the northwesterly line of the Dorchester & Milton Branch of the Old Colony Railroad; and
SOUTHWESTERLY 129.53 feet, by the remaining portion of said Parcel 3.

The right to forever maintain two poles as now located on Parcel 3, on said plan, for the purpose of carrying wires to supply electricity and telephone to the premises described herein; together with the right to enter upon said Parcel 3 for the purpose of maintaining such poles and servicing the telephone and electric wiring from Hilltop Street to the premises taken herein.

The right in and to a certain easement granted to Melvin M. Myers et al by New England Cut Stone Company, Inc. in an instrument dated December 2, 1982, recorded with said Deeds at Book 10142, Page 34. This easement being a twenty (20) foot wide permanent easement for passage by foot and vehicular traffic from Granite Avenue, across the intervening parcels of land located at #170, #172R, and #174R Granite Avenue, being, now or formerly, property of Richard A Johnson, Trustee of C&J Realty Trust u/d/t, which easement is shown as a driveway upon a plan of land, Boston, Massachusetts (Dorchester District) dated August 23, 1958, prepared by A.A. Minichiello, Civil Engineer. It is noted and acknowledged that the owner(s) of the land encumbered by this easement has or have to right to relocate it, but also the obligation to maintain it as well.

The above described premises at 62R Hilltop Street taken hereby, are designated on the Tax Roll of the City of Boston as Parcel 16/04325/000, which is depicted upon Assessors Plan Ward 16 Plan 16083.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any fee and any other interest in the Neponset River which may be held by the supposed owner as a result of its ownership of the above described property, and being the same premises described in a deed dated January 3, 1997, from Joseph F. Schlager to SBD Corporation, a Massachusetts corporation, recorded with Suffolk County Registry of Deeds in Book 21457, Page 182.

The Commission expressly grants the supposed owner, SBD Corporation, the right to remain on the above premises for a period of eight (8) months from the date of the recording of this order, in order to allow a phased relocation of its business from the premises, and hereby authorizes the appropriate staff to attempt to coordinate the temporary use of another parcels or parcels which may be surplus to the needs of other state agencies in regard to this relocation effort.

The Commission hereby declares it necessary to withhold a portion of the pro tanto amount listed below, in the sum of \$ 175,000.00, which sum shall be utilized by the Commission or by the supposed owner, as required, to fund the environmental remediation required on the premises in accordance with and to the extent required by regulations promulgated by the state Department of Environmental Protection, with any monies remaining following the completion of such required remediation to be delivered to the supposed owner of record.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNER</u> | <u>AWARD</u> |
|-----------------|--------------|
| SDB Corporation | \$ 1,455,000 |

Report of Mr. Gray, June 21, recommending that the Commission adopt an order of taking for acquisition of approximately 2.396 acres of land owned by Richard A. Johnson, Trustee of C & J Realty Trust, located in the City of Boston, Massachusetts, and to approve an award of damages in the amount of \$1,850,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and under General Laws, Chapter 79A; and further recommending that \$260,000.00 be withheld from that amount, as required, to be utilized by the owners or by the Commission to complete environmental remediation on site in accordance with regulations promulgated by the state Department of Environmental Protection.

Account No. 2440-8960.

The Commission V O T E D: to adopt an order of taking for acquisition of approximately 2.396 acres of land owned by Richard A. Johnson, Trustee of C & J Realty Trust, located in the City of Boston, Massachusetts.

The Commission further V O T E D: to approve an award of damages in the amount of \$1,850,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and under General Laws, Chapter 79A.

The Commission further V O T E D: to withhold \$260,000.00 from that amount, as required, to be utilized by the owners or by the Commission to complete environmental remediation on site in accordance with regulations promulgated by the state Department of Environmental Protection.

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ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 24, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Section 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Dorchester District of the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

Three certain contiguous parcels of land lying on the easterly side of a state highway, at 170, 172R, and 174R Granite Avenue, formerly Granite Bridge Road, and on the northerly edge of the channel of the Neponset River, between said river and what was the Dorchester & Milton Branch of the Old Colony Railroad, formerly leased to the New York, New Haven & Hartford Railroad, and formerly later held by the Consolidated Rail Corporation and now of the Commonwealth of Massachusetts, Metropolitan District Commission, said parcels containing 100,000 square feet of land, more or less, according to prior deed description, and being more particularly bounded and described as follows:

Parcel #1

A certain parcel of upland and flats, located at 174R Granite Avenue, containing about 32,000 square feet, being the northeasternmost of the three adjoining parcels being described herein, more particularly bounded and described as follows:

Beginning at a point at the northwesterly corner of the parcel herein being described, said point being in the southeasterly line of the former Dorchester and Milton Branch Line of the Old Colony Railroad, now land of the Commonwealth of Massachusetts, MDC, and in the northeasterly line of land, formerly of Marks Angel, later of the Dorchester Cement Stone Company, subsequently of Dealer's Ice & Oil Co. Inc., and still later of New England Cut Stone, Inc., now held by the supposed owner named below, and described herein as Parcel #3, thence running;

NORTHEASTERLY 144.65 feet, more or less, by the former railroad to a point at a corner of land, now or formerly of SDB Corporation, and thence turning and running;

EASTERLY at an angle of $138^{\circ} 49'$, 33.12 feet, more or less, to a point, thence turning and running;

SOUTHEASTERLY 53.33 feet, more or less, to a point, thence turning and running;

SOUTHERLY at an angle of $146^{\circ} 38'$, 160 feet, more or less, to a point on the northerly line of the channel of the Neponset River, the last three courses being by land now or formerly of SDB Corporation, thence turning and running;

WESTERLY along said northerly line of said Channel, 125 feet, more or less, to a point at the southernmost corner of the parcel herein being described, and at the easternmost corner of Parcel #3, as described below, thence turning and running;

NORTHWESTERLY 114 feet, more or less, by Parcel #3 to the point of beginning.

The above described parcel is shown as Parcel 1, with an area of 32,000 square feet, upon a plan entitled "Plan Of Land in Dorchester, Mass. owned By Bessie E. Williams Showing Proposed Subdivision and Right of Way," dated February 21, 1944, being a plan compiled from plans and survey by George H. McKay, C.E., which plan is recorded with Suffolk County Registry of Deeds, in Deed Book 6116, Page 403.

Parcel #1 is further identified as a subdivision of the southwesterly portions of Lots "A", "B", and "C" shown upon a plan entitled "New Plan of Land of The Dorchester Homestead Land Association on Cushing Hill Dorchester," dated Boston December 21, 1914, prepared by William E. Hannan, C.E., which plan is recorded with said Deeds at the end of Book 4120.

Parcel #2

A certain parcel of upland and flats situated on the easterly side of Granite Avenue, at 170 Granite Avenue, being the southwesternmost of the three contiguous parcels herein being described, more particularly bounded and described as follows:

Beginning at the southernmost corner of the parcel herein being described, at the point of intersection of the northerly line of the Neponset River Channel with the easterly line of Granite Avenue, thence running;

NORTHWESTERLY by Granite Avenue, about 118.04 feet, more or less, to the point of intersection between the easterly line of Granite Avenue and the southeasterly line of the Former Dorchester & Milton Branch of the Old Colony Railroad, thence turning and running;

NORTHEASTERLY by the former location of the Dorchester & Milton Branch of the Old Colony Railroad, which was operated by the New York, New Haven & Hartford Railroad, about 325.50 feet, more or less, to a point at the westernmost corner of Parcel #3, as described below, thence turning and running;

SOUTHEASTERLY about 133.42 feet, more or less, by the southwesterly line of Parcel #3, to a point in the northerly Line of the Channel of the Neponset River, and thence turning;

SOUTHWESTERLY by the northerly line of the Neponset River Channel, about 304.32 feet, more or less, to the point of beginning at the easterly line of Granite Street.

EXCEPTING AND EXCLUDING from the above described premises, a parcel of 1425 square feet, more or less, taken for the widening and improvement of Granite Street by the Commonwealth of Massachusetts, Department of Public Works, in an order of taking dated August 26, 1958, Layout No. 4727, Parcel No. 5, then owned by New England Cut Stone Company, Inc., this instrument of taking being recorded with said Deeds in Book 7337, Page 119. The accompanying two-sheet Taking Plan entitled "The Commonwealth of Massachusetts, Plan of Road in the City of Boston, Suffolk County, Laid Out as a State Highway by the Department of Public Works," dated August 26, 1958, and signed by the Chief Engineer, is recorded in Book 7337, Page 119.

Parcel #2 prior to the aforesaid taking by the Department of Public Works, was supposed to contain, according to prior deed description, 39,465 square feet of upland and flats. The remaining portion of this Parcel #2, meaning and intending to be taken herein and hereby, is calculated to contain 38,040 square feet, more or less.

Parcel #3

A certain parcel of upland and flats located at 172R Granite Avenue, lying between the two parcels above described as Parcels #1 and #2, more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel herein being described, at a point in the southeasterly line of the former Dorchester & Milton Branch of the Old Colony Railroad, said point being at the northernmost corner of Parcel #2, as described above, thence running;

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NORTHEASTERLY 276.56 feet, more or less, by the former railroad line to a point in a corner of the railroad layout, said point being at the northernmost corner of this parcel, and thence turning and running;

SOUTHEASTERLY 138 feet, more or less, partially by the railroad layout but mostly by land formerly of Thomas F. Reddy, now of the supposed owner listed below, being Parcel #1 as described above, to a point in the northerly line of the Neponset River Channel, thence turning and running;

SOUTHWESTERLY 282 feet, more or less, by the northerly line of the Neponset River Channel, to a point at the southernmost corner of the parcel herein being described, being also at the northeasterly corner of Parcel #2, as above described, thence turning and running;

NORTHWESTERLY 114 feet, more or less, by the northeasterly line of Parcel #2, as above described, to the point of beginning.

Parcel #3 as described above is shown as Lot 173, a parcel of 34,370 square feet, upon a plan entitled "Adams Park Plan of Lots in Dorchester belonging to Edward Hood Bonelli," dated Boston March 30, 1905, prepared by Richmond P. Souther Surveyor, with revisions made by W.A. Mason & Son, Surveyors, Cambridgeport, in October 1907, which plan is recorded with said Deeds at the end of Book 3226.

It is noted that in the current deed referenced below describing the premises taken hereby, the subject premises is listed as the "Fourth Parcel." The description set forth for this "Fourth Parcel" is comprised of a two-course description of the boundary line between the former Dorchester & Milton Branch of the Old Colony Railroad, and Parcel 2 and 3 described above. This boundary agreement is among the Old Colony R.R. Co., the NY, NH & H R.R., and the Dorchester Cement Stone Company, and is recorded with said Deeds on July 2, 1928 in Book 5017, Page 581. This "Fourth Parcel" is shown upon a plan entitled "New York New Haven and Hartford Railroad, Real Estate and Right of Way Department, Boston, Mass., Southerly R.R. Property Line Easterly of Granite Ave.," dated March 1928, signed by Ivan A. Chisholm, C.E., which plan is recorded with said Deeds in Book 5017, Page 581, and is described as follows:

"Said division line runs from Granite Avenue on the west in a northeasterly direction, parallel to and twenty and twenty-five hundreds (20.25) feet distant southeasterly from the monumented base line of the grantors' railroad known as Milton Branch, measured at right angles thereto, to a line on the east, which line begins at a point twenty and twenty-five hundredths (20.25) feet distant southeasterly from said base line measured at right angles thereto, at Station 47+09.24 and thence runs southeasterly to a point distant thirty-three (33) feet southeasterly from said base line, measured at right angles thereto at Station 47+10.02."

All lands northwesterly and northeasterly of the division line were conveyed to the railroad(s), and all lands southeasterly and southwesterly of the division line were conveyed to the Dorchester Cement Stone Company. There were no calculated areas of land transferred.

From an inspection of the public record there is no discernable area to be assigned to this "Fourth Parcel" and it is therefore assumed that this agreement affirmed the existing property line.

THE TOTAL AREA of the three above described parcels taken hereby hereby is calculated by prior deed and plan description to be 104,410 square feet, more or less, of upland and flats, or 2.396 acres, more or less.

The above described parcels are carried on the Tax Rolls of the City of Boston as 16/04322/000; 16/04323/000; and 16/04324/000, shown upon Assessors Plan-Ward 16-Plan 16083.

ALSO meaning and intending to take hereby all appurtenant rights running with the above described premises, specifically including, but not necessarily limited to, the following rights:

The right to use forever, in common with others, the area from Hill Top Street to the Milton Branch of the Old Colony Railroad marked "RIGHT OF WAY" on the plan dated February 21, 1944, above referenced in the description of Parcel #1, for the purpose of passage on foot or vehicle, and for the purposes of laying and maintaining water and sewer lines from Hill Top Street to the premises above described as

Parcel #1, said right of way being bounded and described as follows:

NORTHWESTERLY by Hill Top Street, 18.94 feet;

NORTHEASTERLY by Part of Parcel #3, 124.82 feet (a parcel of 36,300 square feet of land, formerly of Bessie E. Williams, comprising Lots 222 through 229 inclusive of the lots set off by the Dorchester Homestead Land Association on Cushing Hill Dorchester);

SOUTHEASTERLY by the northeasterly side line of the Milton Branch of the Old Colony Railroad, 16.89 feet; and

SOUTHEASTERLY by the remaining portion of Parcel #3, 129.53 feet.

Also the right to use forever, in common with others, for the purpose of passage on foot or vehicle and for the purpose of laying and maintaining water and sewer lines to the premises above described as Parcel #1, a triangular piece of land lying northerly of Parcel #1, being land, now or formerly, of SBD Corporation, bounded and described as follows:

SOUTHERLY by Parcel #1, 33.12 feet;

NORTHEASTERLY by Parcel #2 (now or formerly, of SBD Corp.) 22 feet;

NORTHWESTERLY by the northeasterly side line of the Milton Branch of the Old Colony Railroad, 22 feet.

Also the right to maintain forever two poles, as now located on Parcel #3 on said plan for the purposes of carrying wires to supply electricity to Parcel #1, and the right to enter upon said Parcel #3 for the purpose of maintaining such poles and of servicing the electric wiring from Hill Top Street to Parcel #1.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Granite Avenue and/or the Neponset River which may be held by the supposed owner as a result of his ownership of the above described property, and being the same premises described in a deed dated May 15, 1986, from T-Equipment Corporation of Dorchester to John A. Jakutis, Trustee of C&J Realty Trust, recorded with Suffolk County Registry of Deeds in Book 12499, Page 274. See the Declaration of Nominee Trust for C&J Nominee Trust dated November 29, 1985, recorded with said Deeds in Book 12499, Page 267. Note that the replacement and current trustee of C&J Realty Trust is Richard A. Johnson, as appointed in the document entitled Resignation of Trustee and Appointment of Successor Trustee, dated December 23, 1986 and recorded with said Deeds in Book 13951, Page 33.

The Commission hereby declares it necessary to withhold a portion of the pro tanto amount listed below, in the sum of \$ 260,000.00, which sum shall be utilized by the Commission or by the supposed owner, as required, to fund the environmental remediation required on the premises in accordance with and to the extent required by regulations promulgated by the state Department of Environmental Protection, with any monies remaining following the completion of such required remediation to be delivered to the supposed owner of record.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

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The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNER</u> | <u>AWARD</u> |
|--|-----------------|
| Richard A. Johnson, Trustee of C&J Realty Trust | \$ 1,850,000.00 |

1.

Report of Messrs. French and Gray, June 23, recommending that the Commission authorize the use of the existing parking lot currently being utilized by Arthur D. Little, Inc., on MDC property located in the City of Cambridge and Town of Arlington and within the MDC Alewife Brook Reservation, by AP Cambridge Partners LLC, as purchaser of the adjacent privately-held property, by means of an MDC Permit. This MDC permit shall allow the use of this parking lot solely for parking purposes, for a term not to exceed five (5) years from the effective date of July 24, 1999.

Messrs. French and Gray, further recommend that this MDC permit shall also expressly include and incorporate the following conditions: i. The permittee shall assume the full and sole costs of maintaining the parking lot and the immediately adjacent MDC property, including landscaping and other appropriate tasks; ii. The permittee shall commit to phased and considered redevelopment process and plan; iii. The permittee shall commit to funding an independent real estate appraisal by an appraiser selected by the MDC, to establish appropriate permit payments, and to the payment of such permit fees as determined by that appraiser; and iv. The permittee shall commit to funding the reclamation and restoration of the parking lot area once the permitted use of that area has been terminated.

At this point, Commissioner Balfour recognized a group in attendance concerning the matter of the parking lot currently being utilized by Arthur D. Little, Inc., on MDC property, located in Cambridge and Arlington. It was also noted that letters were received from Representative Alice K. Wolf, Cambridge City Councilor Katherine Triantafillou and Lew Weitzman of the Coalition for Alewife concerning the matter and requesting that no action be taken at this time regarding the parking area. It was further noted that three telephone calls were received in the Secretary's Office in opposition to renewal of the Permit. Commissioner Balfour then offered anyone in attendance an opportunity to address the Commission and state their opinion concerning the matter.

Peter Cignette, representing Alewife Neighbors, Inc., spoke of the problems he and neighbors are having with flooded basements caused by the Parking Lot. He felt that this was an opportunity for the MDC to reclaim the parking lot and return it to its original state. He then suggested that the Commission conduct a public hearing with concerned citizens of Belmont, Arlington and Cambridge, prior to Commission moving forward with the continued use of the area for parking purposes.

Marilyn Wellons of the Coalition for Alewife spoke of Condition No. iv, as recommended by Messrs. Gray and French, which states, "The permittee shall commit to funding the reclamation and restoration of the parking lot area once the permitted use of that area has been terminated". She asked that the Commission terminate the Permit now.

Aram Hollman of the Alewife Study Group and Alewife Coalition spoke and asked that the use of the area as a parking lot be ended and that the area be reclaimed as wetlands. He then pointed out that construction in the area has resulted in homes being flooded. Mr. Hollman then presented a map of the vicinity

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the transparency and accountability of the organization. This section also outlines the various methods used to collect and analyze data, ensuring that the information is reliable and up-to-date.

2. The second part of the document focuses on the financial aspects of the organization. It provides a detailed overview of the budget, including the projected income and expenses for the upcoming year. This section also discusses the various financial risks and how they are being managed to ensure the organization's financial stability.

3. The third part of the document addresses the operational aspects of the organization. It describes the various processes and procedures that are in place to ensure the efficient and effective delivery of services. This section also discusses the various challenges that the organization is facing and how they are being addressed.

4. The fourth part of the document discusses the human resources aspect of the organization. It provides an overview of the current staff levels and the various training and development programs that are in place. This section also discusses the various challenges that the organization is facing in terms of recruitment and retention of staff.

5. The fifth part of the document discusses the legal and regulatory aspects of the organization. It provides an overview of the various laws and regulations that the organization is subject to and how they are being managed. This section also discusses the various challenges that the organization is facing in terms of compliance with these laws and regulations.

6. The sixth part of the document discusses the environmental and social aspects of the organization. It provides an overview of the various environmental and social issues that the organization is facing and how they are being managed. This section also discusses the various challenges that the organization is facing in terms of managing these issues.

7. The seventh part of the document discusses the overall performance of the organization. It provides an overview of the various key performance indicators (KPIs) that are being used to measure the organization's performance. This section also discusses the various challenges that the organization is facing in terms of improving its performance.

8. The eighth part of the document discusses the future of the organization. It provides an overview of the various strategic initiatives that are being implemented to ensure the organization's long-term success. This section also discusses the various challenges that the organization is facing in terms of achieving these initiatives.

9. The ninth part of the document discusses the conclusion of the document. It summarizes the key findings of the document and provides a final overview of the organization's current state and future prospects.

10. The tenth part of the document discusses the appendix. It provides a detailed overview of the various data and information that is used throughout the document. This section also includes a list of references and a list of figures and tables.

which outlined flood related problems of area residents. Julia Bowdoin of the Cambridge Conservation Commission spoke of her concerns with the continued use of the area for parking, because, she noted, it lies within the 100-year flood plain. Dan Geer, Co-Chairman of the Coalition for Alewife, noted that he has been negotiating with Arthur D. Little Inc., for the past five years regarding the possibility of using a different site for parking purposes. Mr. Geer then stated that he felt prolonging the use is improper and it is now time to develop an alternate parking site. He stated that if the new owner continues to utilize the parking area they would be starting off on the wrong foot with area residents. Carolyn Mieth of the Coalition for Alewife and Vice Chair of Planning for the Cambridge Conservation Commission, asked that the Commission reject the request and conduct a complete legal review and conduct a Public Hearing. She noted that the area is in an urban wild setting and water recharge location. She stated that the parking area is an a wetland and 100-year flood plain and should now be restored to its original condition. Mrs. Mieth then noted that Article 97 prohibits the use of parkland for any purpose except parks or open space. Ralph Yoder of the Coalition for Alewife stated that the area falls within a wildlife corridor and the Commission should consider removing the parking area and returning it to a wildlife area. Sheila Cook of the Coalition for Alewife and Green Space Alliance stated that it would not be fair to the residents of the area to continue to use the parking area for an additional five years. She then noted that there is a shortage of park land and its time to give priority to citizens rather than public interests. Stash Horowitz, President of the Cambridge Neighborhood Association, expressed his concern with the process and noted that he did not find out that the matter was on today's agenda until last evening. He then questioned Item No. iv in the request from Messrs. French and Gray, which stated 'The permittee shall commit to funding the reclamation and restoration of the parking lot area once the permitted use of that area has been terminated'. He then asked if this meant the Permit will expire at the end of five years. Mr. Horowitz then questioned Item No. iii, concerning funding of an independent real estate appraiser, to establish Permit payments. Mr. Horowitz then spoke of Article 97, which created a requirement for 2/3rds vote of approval by the Legislature for non-public use of public land. He then asked that the Commission obtain a legal opinion from the MDC General Counsel and the Attorney General's Office concerning the use of the land for parking by private companies, prior to any further action. He then asked that the Commission to hold a public hearing regarding the matter with due notice being given to interested parties. Representative Wolf referred to her letter of June 23, 1999 to the Commissions and asked that the Commission defer any action until an opinion is received from MDC Legal Counsel and the Attorney General's Office concerning Article 97. At this point, Associate Commissioner Carr stated that there

could be a misconception concerning the matter. He pointed out that the word lease of the parking area is being used in some instances where it is actually a Permit.

Mr. Gray noted that the permit, if issued, would be for non-exclusive use of the parking area and would be revocable by the Commission.

It was suggested that a condition to the Permit include language committing the permittee to agree to not seek legislative authorization to lease or otherwise obtain rights to the parking lot.

Mr. Horowitz requested a public hearing be held and a full legal review commence prior to the Commission approving and executing the Permit.

Representative Wolf suggested excluding the parking area at this time from the property under negotiation between Arthur D. Little, Inc., and AP Cambridge Partners LLC.

Associate Commissioner Elkort noted that any fees collected by the MDC from Arthur D. Little, Inc., and any other permittee are deposited directly into the General Fund and suggested that Representative Wolf could be of help in securing legislation authorizing the use of these fees for the Alewife Reservation directly.

Associate Commissioner Carr noted that the MDC routinely issues permits on an annual basis and that the period of this Permit shall not exceed five years.

At this point Associate Commissioner Carr made a motion that the Commission authorize issuance of a Permit subject to public hearings to include interested residents of the surrounding communities.

Associate Commissioner Carr further recommended that agency staff and concerned citizens work together to develop draft terms and conditions for the Permit.

The Commission requested a complete legal review be performed prior to execution of the Permit by the Commission.

The Commission V O T E D: to authorize issuance of a parking Permit for a period not to exceed five years, expressly including and incorporating the four conditions set forth by Messrs. French and Gray, and subject further to the requirements that the MDC hold Public Hearings to include residents of the surrounding communities, and complete a legal review, to ensure that all applicable laws are complied with prior to the request for execution of the Permit by the Commission.

Adjourned at 11:20 a.m., to meet on Thursday, July 1, 1999, at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Eight Hundred and Ninety Eighth (3898th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, July 1, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on June 11, 1999 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P99-2016-C1A, dated July 1, 1999, with J. W. H. Construction, Inc., for Charles River Locks and Dam, Marine Building, Smoke Stack and Brick Wall Repair.
2. Contract No. P99-2005-M1A, dated July 1, 1999, with P. J. Kennedy & Sons, Inc., for Service and Maintenance of HVAC Systems at Various MDC Facilities (two years).
3. Contract No. P99-2002-M1A, dated July 1, 1999, with P. J. Kennedy & Sons, Inc., for Service and Maintenance of HVAC Systems at Various Flood Control/Navigational Sites.
4. Contract No. P99-2003-M1A, dated July 1, 1999, with Inner Space Services, Inc., for Service and Maintenance to Underwater Structures at Various Flood Control/Navigational Sites.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher, Brooks and Haider, June 21, on bids for Service and Maintenance to Hydraulic Power Systems at Various Flood/Control/Navigational Sites, Contract No. P99-2004-M1A (Messrs. Faucher, Brooks and Haider recommend acceptance of the only bid received, that of The Entwistle Company, corrected to \$76,740.00).

The Commission V O T E D: Delete from Agenda.

6. Report of Messrs. Faucher and Jackson, June 21, recommending approval of the request of McCourt Construction Company, Contractor on Contract No. P95-1784-C3A, for South Boston Beaches Rehabilitation - Phase 2 - to engage the services of the following sub-contractors -

| | |
|---|---------------------|
| Wildeca Corporation | \$ 21,000.00 |
| Bituminous Concrete Pavement Installation | |
| F & L Landscape Construction, Inc. | \$186,610.40 |
| Planting, Loaming and Seeding | |
| (At no increase in Contract cost). | |

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Jackson in their report of June 21, 1999.

7. Report of Messrs. Faucher and Jackson, June 16, requesting approval of the action of Deputy Commissioner Faucher resulting

THE [illegible] OF [illegible]

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in Revisions in Quantities and Extra Work Orders, as follows on Contract No. P95-1784-C3A, with McCourt Construction Company, for South Boston Beaches Rehabilitation - Phase 2 -

REVISIONS IN QUANTITIES

| | |
|--|--------------|
| Item No. 022-002 - Gravel Borrow | \$ 42,660.00 |
| Item No. 022-003 - Dense Grade Stone | \$ 22,750.00 |
| Item No. 022-004 - 3/4" Crushed Stone | \$ 13,160.00 |
| Item No. 022-005 - Unclassified Excavation | \$ 35,100.00 |
| Item No. 025-002 - 6" Cement Concrete | \$251,600.00 |
| Item No. 025-003 - 8" Cement Concrete | \$ 50,800.00 |
| Item No. 030-003 - Pleasure Bay Infill | \$ 3,200.00 |
| Item No. 026-023 - Dispose Hydrant | \$ 400.00 |
| Item No. 029-001 - Loam and Seed | \$ 5,200.00 |
| Item No. 029-002 - Aerate & Overseed | \$ 34,000.00 |
| Total - | \$458,870.00 |

EXTRA WORK ORDERS

| | |
|---|--------------|
| Extra Work Order No. 5 | \$ 13,896.35 |
| Trucking & Disposing of Contaminated Soil | |
| Extra Work Order No. 6 | \$ 11,712.50 |

For Furnishing and Installing Geotectile Fabric and for Rehandling Dense Graded Crushed Stone

A portion of the \$458,870.00, in the sum of \$98,478.85, will be offset by reductions in pulverizing bituminous concrete, resetting granite curb, 4" water pipe, 12" water pipe, park identification signs, and perennial and groundcover plantings. Funding remaining for revisions in quantities, in the sum of \$360,391.15 and Extra Work Order Nos. 5 and 6, in the sum of \$25,608.85, for a total of \$386,000.00, available in Account No. 2440-8956.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Revisions in Quantities, in the amount of \$458,870.00 and Extra Work Order Nos. 5 and 6, on Contract No. P95-1784-C3A.

The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of \$458,870.00.

The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of \$13,896.35.

The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of \$11,712.50.

1. Report of Messrs. Faucher and Sacco, June 18, recommending approval and ratification of the action of Deputy Commissioner Faucher, resulting in Amendment No. 3, for an increase in the upset limit from \$785,369.00 to \$816,369.00, an increase of \$31,000.00, on Contract No. P98-1930-S1A, with GEI Consultants, Inc., for Feasibility Study for Securing Public Safety at Granite Rail Quarry, Quincy, due to the need to prepare an emergency action plan to counteract eminent failure condition of the quarry wall.
Funding from Account No. 2440-8885.
(Messrs. Faucher and Sacco further request that the Commission execute Amendment No. 3).
The Commission V O T E D: to approve and ratify the action of Deputy Commissioner Faucher, which resulted in Amendment No. 3, for an increase in the upset limit from \$785,369.00 to

\$816,369.00, an increase of \$31,000.00, on Contract No. P98-1930-S1A, with GEI Consultants, Inc.

The Secretary then submitted for signature Amendment No. 3, dated July 1, 1999, to Contract No. P98-1930-S1A, with GEI Consultants, Inc., which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. Faucher, Brooks and Kane, June 28, on bids for Demolition of MDC Owned Structure Adjacent to the Almy's Building, 487-489 Western Avenue, Brighton, Contract No. P98-1951-C1A.
(Messrs. Faucher, Brooks and Kane recommend acceptance of the lowest bid received, that of Jay-Mor Enterprises, Inc., of \$24,350.00).
The Commission V O T E D: to accept the lowest bid received, that of Jay-Mor Enterprises, Inc., of \$24,350.00.
2. Report of Messrs. Faucher and Jackson, June 24, on bids for Landscape Improvements at Bellevue Hill, West Roxbury, Contract No. P99-2020-C1A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of Tree Technology and Landscape Co., Inc., of \$21,600.00).
The Commission V O T E D: to accept the lowest bid received, that of Tree Technology and Landscape Co., Inc., of \$21,600.00.
3. Report of Messrs. Faucher and Sacco, June 28, recommending approval of an extension of time from June 30, 1999 to July 30, 1999, on Contract No. P98-1930-C1A, with J. F. White Contracting Co., for Controlled Dewatering of Granite Rail Quarry, Quincy.
The Commission V O T E D: to approve an extension of time from June 30, 1999 to July 30, 1999, as recommended by Messrs. Faucher and Sacco, in their report of June 28, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
4. Report of Messrs. Faucher and Gearheart, June 28, recommending approval and ratification of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 4 - for repair and replacement of lightweight aluminum ramps - at a cost of \$11,545.00, on Contract No. P82-1112-C2A, with Early and Sons, Inc., for Peddock's Island Pier Replacement.
Funding from Account No. 2440-8956.
The Commission V O T E D: to approve and ratify the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 4, on Contract No. P82-1112-C2A.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of \$11,545.00.
5. Report of Messrs. Faucher and Gearheart, June 28, requesting that the Commission reject the only bid received, that of The Entwistle Company, on Contract No. P99-2004-M1A, for Maintenance and Service of Hydraulic Systems at Various Flood Control/Navigation Sites, due to the fact that The Entwistle

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY

REPORT OF THE
COMMISSION ON THE
STRUCTURE OF THE
ATOMIC NUCLEUS

PRESENTED TO THE
ACADEMY OF NATURAL SCIENCES
OF THE UNITED STATES OF AMERICA
AT THE ANNUAL MEETING
HOLDING AT THE UNIVERSITY OF CHICAGO

1935-1936
BY
J. R. OHLERSON
AND
J. H. P. L. VAN DER WOUDE

CHICAGO, ILLINOIS
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1936

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CHICAGO, ILLINOIS
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1936

Company did not comply with contract requirements.
Messrs. Faucher and Gearheart further request authorization to readvertise Contract No. P99-2004-M1A, for Maintenance and Service of Hydraulic Systems at Various Flood Control/Navigation Sites. Estimated Cost - \$76,000.000.
Time for Performance - twelve months.
Funding from Account No. 2440-0010.
The Commission V O T E D: to reject the only bid received, that of The Entwistle Company, on Contract No. P99-2004-M1A, for Maintenance and Service of Hydraulic Systems at Various Flood Control/Navigation Sites, due to the fact that The Entwistle Company did not comply with contract requirements.
The Commission further V O T E D: authorization to readvertise Contract No. P99-2004-M1A.

1. At this point, Associate Commissioner Carr made reference to several engineering items that were on the Commission agenda for ratification of the Deputy Commissioner Faucher's action and noted, for the record, that an informal meeting was held recently with staff concerning the establishment of new standards for extra work orders, revisions in quantities, alterations and other matters relating to construction contracts.
He stated, that as a result of the meeting, we are off to a good start in revamping the system. However, he pointed out, much more work remains before a new process is put in place.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Baratta, June 14, requesting approval of the following on Contract No. WM95-061-C1A, with Roads Corporation, for Fast Track Sewer Construction - Pinecroft Area of Holden and West Boylston -

| | |
|---|-------------|
| Alteration No. 3 | \$19,213.68 |
| Upgrade electrical service | |
| Alteration No. 4 | \$ 1,976.67 |
| Upgrade HVAC control panel in pumping station | |
| Extra Work Order No. 6 | \$27,677.97 |
| Remove and replace failed pavement on residential streets with new pavement | |
| <u>REVISIONS IN QUANTITIES</u> | |
| Item No. 4-1b | \$31,785.00 |
| 8" PVC Sewer pipe over 16" deep | |
| Item No. 5-1i | \$ 437.00 |
| 2 - 1/2" PVC pressure sewer | |
| Item No. 5-2a | \$ 1,720.00 |
| 4" PVC Force main trench alone | |
| Item No. 7-3a | \$ 130.00 |
| 8" x 6" PVC wye branches | |
| Item No. 8-3f | \$42,980.00 |
| 6" PVC Building connections | |
| Item No. 9-3g | \$ 450.00 |
| pressure service connection by gravity sewer | |
| Item No. 10-3i | \$ 7,403.00 |
| 1 - 1/2" PVC pressure service connection | |
| Item No. 11-6h | \$ 431.25 |
| 8" External drop connection | |

1. The first part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

2. The second part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

3. The third part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

4. The fourth part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

5. The fifth part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

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7. The seventh part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

8. The eighth part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

Item No. 12-8b

\$ 3,901.50

Surface restoration over pressure service connection

An extension of time from July 1, 1999 to July 1, 2000.

Account No. 2420-7961.

The Commission V O T E D: to approve Alteration No. 3, in the amount of \$19,213.68.

The Commission further V O T E D: to approve Alteration No. 4, in the amount of \$1,976.67.

The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of \$27,677.97.

The Commission further V O T E D: to approve Revisions in Quantities, in the amount of \$89,237.75.

The Commission further V O T E D: to approve an Extension of Time from July 1, 1999 to July 1, 2000, as requested by Messrs. McGinn and Baratta in their report of June 14, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Mr. McGinn, June 23, requesting authorization for Commissioner Balfour to execute, on behalf of the Commission, Amendment No. 5, to the Consent Order between the Department of Environmental Protection and the Massachusetts Water Resources Authority (MWRA) and the Metropolitan District Commission, governing compliance with the Surface Water Treatment Rule at the Wachusett Reservoir.
(The Amendment affects only work to be performed by the MWRA and does not impact on any responsibilities or schedules of performance under the jurisdiction and control of the MDC).
The Commission V O T E D: to authorize Commissioner Balfour to execute, on behalf of the Commission, Amendment No. 5, to the Consent Order between the Department of Environmental Protection and the Massachusetts Water Resources Authority (MWRA) and the Metropolitan District Commission, governing compliance with the Surface Water Treatment Rule at the Wachusett Reservoir.
2. Report of Messrs. McGinn and Kane, May 27, recommending the following on Contract No. WM95-011-C1A, with Tasco Construction, Inc., for Restoration of the Downstream Areas, Goodnough Dike, Quabbin Reservoir -
 - (a) That work be accepted as completed as of May 30, 1999.
 - (b) That Estimate No. 4 (Final), retainage in the amount of \$7,900.00, be approved for payment.
(Basis of Award - \$158,000.00)
(Amount to Date - \$158,000.00)
(Contract Performance Rating - 3.67)
(EEO Compliance - 2.75)The Commission V O T E D: that the work of Tasco Construction, Inc., Contractor under Contract No. WM95-011-C1A, be and hereby is accepted as completed as of May 30, 1999.
The Commission further V O T E D: to approve Estimate No. 4 (Final), retainage, in the amount of \$7,900.00, for payment.
3. Report of Messrs. McGinn and Baratta, May 10, requesting approval

of the following on Contract No. WM95-061-D1A, with Weston and Sampson Engineers, Inc., for Master Sewer System Design, West Boylston and Holden.

- (A) Authorization for the Contract Administrator to negotiate Amendment No. 7 - to ensure the continuation of Construction Administration and Inspection Services, for Project 5W and 4W in West Boylston Sewer Area, until the RFR process is completed - with a value not-to-exceed \$150,000.00
- (B) An extension of time from July 1, 1999 until September 30, 1999.

Funding from Account No. 2420-7961

The Commission V O T E D: Authorization for the Contract Administrator to negotiate Amendment No. 7 - to ensure the continuation of Construction Administration and Inspection Services, for Project 5W and 4W in West Boylston Sewer Area, until the RFR process is completed - with a value not-to-exceed \$150,000.00.

The Commission further V O T E D: to approve an extension of time from July 1, 1999 to September 1, 1999.

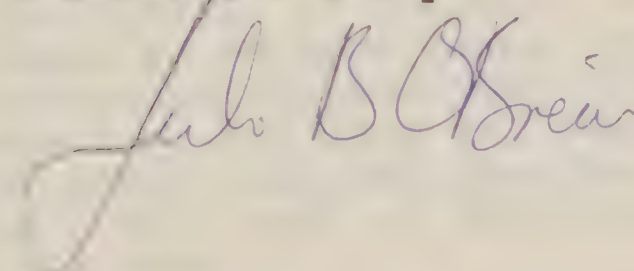
The Secretary then submitted for signature Amendment No. 7, dated July 1, 1999, to Contract No. WM95-061-D1A, with Weston & Sampson Engineers, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Office of General Counsel:

1. Report of Mr. Gray and Mrs. O'Brien, June 30, recommending that the Commission approve and accept the quitclaim deed of gift of a parcel of land containing approximately 0.351 acres, owned by North Federal Properties Limited Partnership, located in the City of Cambridge, Massachusetts.
The Commission V O T E D: to approve and accept the quitclaim deed of gift of a parcel of land containing approximately 0.351 acres, owned by North Federal Properties Limited Partnership, located in the City of Cambridge, Massachusetts.

Adjourned at 10:15 a.m., to meet on Thursday, July 8, 1999, at 9:00 a.m.

S e c r e t a r y



Record of the Three Thousand Eight Hundred and Eighty Ninth (3889th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, July 8, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on June 24, 1999 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P94-2000-CIA, dated July 8, 1999, with Davison Company, Inc., for Improvements to Ventilation, Neponset Garage, Dorchester.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and McCalla, June 23, recommending approval of the following revisions in quantities, on Contract No. P98-1938-M1A, with Boston Edison Company, for Maintenance of Street Lighting Systems on Various Parkways, Roadways, and Properties -

| | |
|--|-------------|
| Item No. 2 - Street Light Transformer Base | \$ 5,292.00 |
| Item No.18 - Hourly Rate for Licensed Electrician | 4,440.00 |
| Item No.19 - Hourly Rate for Licensed Electrician Helper | \$ 8,575.00 |
| Item No.20 - Hourly Rate for Vehicle | \$ 5,320.00 |
| Item No.24 - Materials, Components and Parts | \$18,000.00 |
| Item No.25 - Traffic Control Services | \$ 4,250.00 |
| Total | \$45,877.00 |

Funding Available in Specified Accounts -

| Item Nos. | | Account Nos. |
|-----------------|-------------|-------------------------|
| 2 & 24 | - Capital - | \$23,292.00 - 2490-0010 |
| 18, 19, 20 & 25 | - O & M - | \$17,670.94 - 2490-0010 |
| | O & M - | \$ 4,914.06 - 2444-9001 |

The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Carrigan and Machado, July 1, recommending approval of the request of D & R General Contracting Company, Inc., General Contractor, on Contract No. P99-2017-C1A, for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, to engage the services of N.E.L. Corporation, as sub-contractor, for Item No. 045-010-Bridge Deck Excavation - at a cost of \$18,500.00 and Item No. 046-010 - Rapid Setting Concrete Compound - at a cost of \$49,000.00. (At no increase in Contract cost).

The Commission V O T E D: To approve the request of the Contractor to engage the services of N.E.L. Corporation, as sub-contractor for Item No. 045-010 and 046-010.

4. Report of Messrs. Faucher, Brooks and Gearheart, July 2, on

proposals for Assembly and Installation of 25 Picnic Benches, Nantasket Beach.

(Messrs. Faucher, Brooks and Gearheart recommend acceptance of the lowest proposal received that of Hub Construction and Maintenance Company Co., Inc., of \$9,675.00.

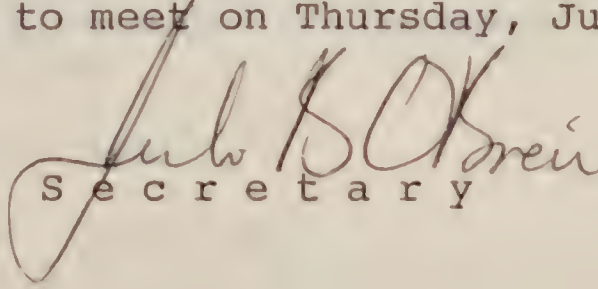
The Commission V O T E D: to accept the lowest bid proposal received that of Hub Construction and Maintenance Co., Inc., of \$9,675.00.

1. Report of Messrs. Faucher, Brooks, and Mayhew, June 25, recommending approval of Extra Work Order No. 2 - for modifying the brickworks on the wall of the Charles River Dam, in order to install nine bronze plaques - at a cost of \$4,712.60, on Contract No. PL82-1022-C2A, with T. Cooney Company, for Revere Landing Park.
Funding from Account No. 2449-6033.
The Commission V O T E D: To approve Extra Work Order No. 2, in the amount of \$4,712.60.
2. Report of Messrs. Faucher, Brooks, and Kane, June 28, requesting that the Commission amend its vote of December 30, 1998, on Contract No. P97-1913-C1A, for Historic Stables Renovation, Land Boulevard and O'Brien Highway, Cambridge, by changing revision in quantity on Item No 15700-1 - Installation of Two Window Air Conditioning Units - at a cost of \$1,131.61, to read Alteration in Work - as this section was originally under a lump sum item. This vote is necessary so that the Contractor, Langton & Douglas Contracting, Inc., can be paid for its work).
The Commission V O T E D: To amend its vote of December 30, 1998, by changing revision in quantity on Item No. 15700-1 - Installation of Two Window Air Conditioning Units - at a cost of \$1,131.61, to read Alteration in Work.

Action was taken upon the following Various Matter:

3. Report of Mrs. Davidge, June 28, requesting approval of and authorization for Commissioner Balfour, to execute on behalf of the Commission, a Contract with Sylvia Perez, for Graphic Design Service to Assist in Updating the New Charles River Basin Master Plan Brochure.
(Estimated cost - Not to exceed \$4,500.00 for design services and \$4,500.00 for printing).
Time for Performance - One Month
The Commission V O T E D: Approved.
The Commission further V O T E D: Authorization for Commissioner Balfour to execute the Contract on its behalf.

Adjourned at 9:40 a.m., to meet on Thursday, July 15, 1999, at 9:00 a.m.


S e c r e t a r y

1. The first part of the paper discusses the importance of maintaining accurate records of all transactions. This is essential for the proper management of the company's finances and for ensuring that all transactions are properly documented and audited.

2. The second part of the paper discusses the importance of maintaining accurate records of all transactions. This is essential for the proper management of the company's finances and for ensuring that all transactions are properly documented and audited.

3. The third part of the paper discusses the importance of maintaining accurate records of all transactions. This is essential for the proper management of the company's finances and for ensuring that all transactions are properly documented and audited.

4. The fourth part of the paper discusses the importance of maintaining accurate records of all transactions. This is essential for the proper management of the company's finances and for ensuring that all transactions are properly documented and audited.

5. The fifth part of the paper discusses the importance of maintaining accurate records of all transactions. This is essential for the proper management of the company's finances and for ensuring that all transactions are properly documented and audited.

6. The sixth part of the paper discusses the importance of maintaining accurate records of all transactions. This is essential for the proper management of the company's finances and for ensuring that all transactions are properly documented and audited.

7. The seventh part of the paper discusses the importance of maintaining accurate records of all transactions. This is essential for the proper management of the company's finances and for ensuring that all transactions are properly documented and audited.

Record of the Three Thousand Nine Hundredth (3900th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, July 22, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on July 1, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, July 7, requesting approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, Memorandum of Agreement with the City of Boston, Parks and Recreation Department, for placement of some of the improvements associated with the reconstruction of Savin Hill and Malibu Beaches, on land managed by the Boston Parks and Recreation Department.
(Boston Harbor Beaches: Dorchester Shores Beaches Restoration Project - Contract No. P95-1804-C1A).
The Commission V O T E D: Approved as requested by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of July 7, 1999.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Memorandum of Agreement with the City of Boston, Parks and Recreation Department.
2. Report of Messrs. Faucher and Griffin, July 6, recommending approval of the request of R.H.D. Construction Co., Inc., Contractor on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, to engage the services of the following sub-contractors -

| | |
|--|-------------|
| J. W. DeNapoli | \$ 5,000.00 |
| Item No. 013 - Repair Reinforced Concrete Drainage Pipe | |
| Riverside Asphalt Services, Inc. | \$30,000.00 |
| Item No. 008 - Installation of Chip Seal Asphalt Surface Coating (At no increase in Contract cost). | |

The Commission V O T E D: Approved.
3. Report of Messrs. Faucher and Lenhardt, July 1, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-2028-E1A, for Navigation Light Replacement, Harvard Bridge, Cambridge/Boston. Estimated Cost - \$4,000.00.
Time for Performance - one month.
Account No. 2490-8911.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P99-2028-E1A, for Navigation Light Replacement, Harvard Bridge, Cambridge/Boston.

1.

Report of Messrs. Faucher, Brooks and Abounaja, May 26, recommending approval of an extension of time from July 14, 1999 to July 14, 2000, on Contract No. P95-1768-D2A, with Camp Dresser and McKee, Inc., for Licensed Site Professional (LSP) Services, for Various MDC Facilities, due to the addition of new tasks. (At no additional Contract cost).

The Commission V O T E D: Approved.

2.

Report of Messrs. Faucher and McCalla, July 9, recommending approval of the following revisions in quantities on Contract No. P98-1938-M1A, with Boston Edison Company, for Maintenance of Street Lighting Systems on MDC Parkways, Roadways, and Properties -

| | |
|---|----------|
| Item No. 006-010 - 250 Watt HPS Lamps - | \$498.00 |
| Item No. 008-010 - 150 Watt HPS Lamps - | \$488.40 |
| Total = | \$986.40 |

(At no additional Contract cost as the revisions will be offset by unused quantities in Item No. 024-010, Materials, Components and Parts).

The Commission V O T E D: Approved.

3.

Report of Mr. Faucher and Ms. Pomorska, July 6, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P99-2027-C1A, for Installation of Pedestrian Traffic Signals on Pond Street, Stoneham.

Estimated Cost - \$115,000.00.

Time for Performance - Design - three months Construction - five months.

Account No. 2490-8881.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P99-2027-C1A, for Installation of Pedestrian Traffic Signals on Pond Street, Stoneham.

4.

Report of Messrs. Faucher and DiRamio, July 16, requesting approval of revisions in quantities on Contract No. P95-1783-C1A, with B & E Construction Corporation, for Rehabilitation of Constitution Beach, East Boston, as follows -

| | |
|------------------------------------|-------------|
| Item No. 002-040 | \$ 900.00 |
| Bit. Concrete Excavation by Planer | |
| Item No. 002-050 | \$ 1,050.00 |
| Drainage Struct. Abandoned | |
| Item No. 002-130 | \$ 400.00 |
| Frame, Grate, Cover/ R & R | |
| Item No. 002-150 | \$ 1,600.00 |
| Elec. Handhole Remove/Abandon | |
| Item No. 002-160 | \$ 6,390.00 |
| Granite Curb Remove/Reset | |
| Item No. 002-200 | \$14,200.00 |
| Unclassified Excavation | |
| Item No. 002-220 | \$ 7,150.00 |
| Topsoil Exc. and Stacked | |
| Item No. 002-270 | \$ 4.00 |
| Ordinary Borrow | |
| Item No. 002-280 | \$ 1,620.00 |
| Gravel Borrow | |

| | |
|--|-------------|
| Item No. 002-300 | \$ 2.50 |
| Dense Graded Crushed Stone | |
| Item No. 002-310 | \$11,440.00 |
| Topsoil Rehand. and Spread | |
| Item No. 002-320 | \$ 500.00 |
| Loam Borrow | |
| Item No. 002-330 | \$ 2,000.00 |
| Reclaimed Base Course | |
| Item No. 002-340 | \$ 160.00 |
| Fine Grade & Compact Subgrd. | |
| Item No. 006-030 | \$ 5,200.00 |
| Ductile Iron Fittings | |
| Item No. 007-110 | \$ 250.00 |
| Concrete Encased Electrical Conduit Duct | |
| Item No. 008-010 | \$ 2,040.00 |
| Bit. Conc. Base Course | |
| Item No. 008-020 | \$ 1,700.00 |
| Bit. Conc. Binder & Surface Course | |
| Item No. 008-060 | \$ 228.00 |
| Hot Poured Rubber Sealer | |
| Item No. 008-070 | \$ 1,880.00 |
| Pavement Trimming (Saw Cutting) | |
| Item No. 008-080 | \$10,450.00 |
| Granite Curb Type VA4 6"x18" Straight | |
| item No. 008-090 | \$ 9,000.00 |
| Granite Curb Type VA4 6"x18" Curved | |
| Item No. 008-100 | \$ 4,620.00 |
| Granite Trans. | |
| Item No. 008-120 | \$ 1,025.00 |
| Granite Curb Inlet - Straight | |
| Item No. 008-130 | \$ 750.00 |
| Granite Curb Inlet - Curved | |
| Item No. 008-170 | \$ 5,740.00 |
| Bit. Conc. Sidewalk and Driveways | |
| Item No. 008-180 | \$ 500.00 |
| Bit. Conc. Wheelch. Ramp | |
| Item No. 009-020 | \$ 1,800.00 |
| Drilled Shaft Foundations | |
| Item No. 014-010 | \$ 200.00 |
| Seed Lawn | |

Total - \$92,799.50

Funding from Account No. 2490-8915.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Lenhardt, July 19, recommending approval of an Amendment for an extension of time from August 1, 1999 to October 1, 1999, on Contract No. P93-1672-D1A, with Simpson, Gumpertz & Heger, Inc., for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities. (At no additional Contract cost).
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher and Machado, July 16, recommending approval of an extension of time from July 31, 1999 to August 31, 1999, on Contract No. P97-1919-C1A, with DeLucca Fence Company,

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1895

1896

1897

1898

1899

Inc., for Installation of Closure Gates, Guard Rail and Fencing at Various Locations.

(At no increase in Contract cost).

The Commission V O T E D: to approve an extension of time from July 31, 1999 to August 31, 1999, as recommended by Messrs. Faucher and Machado, in their report of July 16, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Sacco, July 12, recommending approval of an extension of time from June 22, 1999 to August 20, 1999, on Contract No. P99-1999-C1A, with Ledgewood Construction Co., Inc., for Installation of Pre-Purchased Bleacher Stand Materials at Hormel Stadium Medford.
The Commission V O T E D: to approve an extension of time from June 22, 1999 to August 20, 1999, as recommended by Messrs. Faucher and Sacco in their report of July 12, 1999, to be effective, however, only upon receipt of the written consent of the bonding company.
2. Report of Messrs. Faucher, Brooks and Abounaja, recommending that the Commission ratify the action taken by Deputy Commissioner Faucher, in directing SCS Environmental, Contractor on Contract No. P88-1548-C1A, for Asbestos Abatement at Various Facilities, to perform emergency asbestos abatement work, at a cost of \$1,790.00.
Messrs. Faucher, Brooks and Abounaja further recommend that the Commission approve the additional funding, in the amount of \$1,790.00, to cover this emergency work.
The Commission V O T E D: to ratify the action taken by Deputy Commissioner Faucher, in directing SCS Environmental, Contractor on Contract No. P88-1548-C1A, for Asbestos Abatement at Various Facilities, to perform emergency asbestos abatement work, at a cost of \$1,790.00.
The Commission further V O T E D: to approve the additional funding, in the amount of \$1,790.00, to cover this emergency work.
3. Report of Messrs. Faucher, Carrigan and Machado, July 16, on bids for Installation of Closure Gates, Guard Rail & Fencing at Various Locations, Contract No. P99-2019-C1A.
(Messrs. Faucher, Carrigan and Machado recommend acceptance of the lowest bid received, that of D'Allessandro Corporation of \$491,251.06).
Associate Commissioner Elkort asked if the spending level was similar to previous contracts.
Mr. Jewett responded in the affirmative.
The Commission V O T E D: to accept the lowest bid received, that of D'Allessandro Corporation of \$491,251.06.

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Baratta, June 1, requesting that the

Commission re-affirm its vote of June 18, 1998, approving a Master Grant Agreement, (Project No. WM97-061-X9R), which reimburses the Town of Holden for Sewer Construction in Main Street and related services for construction, in an amount not-to-exceed \$600,000.00.

(Messrs. McGinn and Baratta further request authorization for Commissioner Balfour to execute the Master Grant Agreement on behalf of the Commission).

Funding from Account No. 2420-7961.

Associate Commissioner Carr asked why it was necessary for the Commission to re-affirm its Vote of June 18, 1998.

Mr. Baratta explained that the Commission Vote of June 18, 1998, would have reimbursed the Town of Holden for work done by the Massachusetts Highway Department and its contractor. This vote will allow reimbursement to the Town of Holden for work done by the Holden Department of Public Works contractor.

The Commission V O T E D: to re-affirm its Vote of June 18, 1998, approving a Master Grant Agreement, (Project No. WM97-061-X9R), which reimburses the Town of Holden for Sewer Construction in Main Street and related services for construction, in an amount not-to-exceed \$600,000.00.

The Commission further V O T E D: authorization for Commissioner Balfour to execute the Master Grant Agreement on behalf of the Commission.

1. Report of Mr. McGinn and Clark, June 30, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization for Commissioner Balfour to execute on behalf of the Commission, Contract No. WM00-030-X1A, with the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, for Gull Control in the Wachusett Reservoir.
Time for Performance - four months.
Cost - \$1,250.00.
Funding from Account No. 2420-1400-JJ.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contract No. WM00-030-X1A, with the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, for Gull Control in the Wachusett Reservoir.
2. Report of Messrs. McGinn and Baratta, June 14, recommending approval of Amendment No. 2, for an extension of time from July 9, 1999 to July 9, 2000, on Contract No. WM97-061-C1A, Project 1H and 3H, with Camp Dresser and McKee, for Construction Inspection Services for the Fast Track Sewer Project in the Pinecroft Area of West Boylston and Holden, due to the need to continue field and office services.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matter:

Vol.64,p.208
3900th
July 22,1999

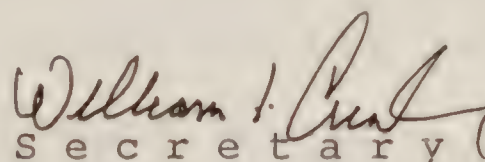
1.

Report of Ms. Davidge, July 12, requesting that the Commission approve an expenditure of \$1,000.00, copyright fee, payable to Henry Holt & Company, LLC, copyright holder, for use of text of poem by Robert Frost, to be installed by tile artist as part of the construction of Paul Revere Park.

Funds are available in account No. 2449-0001.

The Commission V O T E D: Approved.

Adjourned at 9:30 a.m., to meet on Thursday, August 5, 1999,
at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and First (3901st) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 5, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on July 8, 1999 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P99-2020-C1A, dated August 5, 1999, with Tree Technology and Landscape Co., Inc., for Landscape Improvements at Bellevue Hill, West Roxbury.
2. Contract No. P99-2019-C1A, dated August 5, 1999, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fencing at Various Locations.
3. Contract No. P98-1951-C1A, dated August 5, 1999, with Jay-Mor Enterprises, Inc., for Demolition of MDC Owned Structure Adjacent to the Almy's Building, 487-489 Western Ave., Brighton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, July 28, requesting approval of an extension of time from September 30, 1998 to June 30, 1999, on Contract No. P96-1839-C1A, for George's Island Picnic Pavilion, originally awarded to Bull Contracting, Inc., the firm which defaulted on the project. The Contract was completed by Northern Construction Services LLC, the contracting company hired by Colonial Surety Company.
(The extension of time is for administrative purposes only under provisions of Article XXII, at no increase in contract cost).
The Commission V O T E D: to approve an extension of time from September 30, 1998 to June 30, 1999, for administrative purposes only under provisions of Article XXII, as requested by Mrs. Overton Bussell and Messrs. Faucher and Orfant in their report of July 28, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation.
5. Report of Messrs. Faucher and Brooks, July 29, requesting approval of the action of Deputy Commissioner Faucher resulting in revisions in quantities, as follows on Contract No. P97-1887-M1A, with Allied Weatherproofing Company, Inc., for Service and Repairs to All MDC Swimming Pools and Service Buildings within the Metro Parks System -
Item No. 002-005 \$ 436.00
Saw Cut Bituminous Concrete

| | |
|------------------------------|--------------|
| Item No. 002-010 | \$ 35.50 |
| Bituminous Concrete Rem/Disp | |
| Item No. 003-006 | \$ 8,403.00 |
| New 5" Handicap Ramp | |
| Item No. 007-001 | \$ 48,285.76 |
| Technical Services | |
| Item No. 007-005 | \$ 15,911.19 |
| SVC Hot Water Heaters | |
| Item No. 008-001 | \$ 27,867.28 |
| Parts & Materials | |

Total - \$100,938.73

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 001-003, 002-001, 002-002, 002-003, 002-004, 002,004, 002-007, 002-008, 002-011, 002-101, 003-001, 003-002, 003-003, 003-004, 003-005, 003-007, 003-008, 004-001, 004-002, 007-003, 006-001, and 006-002.

The Commission V O T E D: Approved.

1. Report of Mr. Faucher and Mrs. Graves Jones, July 20, recommending approval of revisions in quantities - as follows on Contract No. P98-1925-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts -

| | |
|-------------------------------------|-------------|
| Item No. 003-020 | \$ 7,000.00 |
| Traffic Signal Knockdown Repair | |
| Item No. 010-010 | \$ 4,060.00 |
| Traffic Signal Metal Base Octagonal | |
| Item No. 009-010 | \$ 1,500.00 |
| Pedestrian Push Button and Sign | |
| Item No. 008-010 | \$ 240.00 |
| Post Top Mounting 1 Way | |
| Item No. 008-030 | \$ 200.00 |
| Post Top Mounting 3 or 4 Way | |

Total - \$13,000.00

(At no additional cost to the Commission as the revisions will be offset by unused quantities in Item Nos. 004-010 - Labor Rate for Licensed Electrician (control technician) - 006-020 Vehicle Signal Head - Single Section - 12 inch lens, 007-020 - Pedestrian Signal Head - Single Section and 020-010 - Traffic Control Services).

The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Lenhardt, April 12, recommending the following on Contract No. P98-1962-C1A, with Coviello Electric and General Contracting Co., Inc., for Rehabilitation of Electric Motors, John J. Beades Drawbridge, Boston, Massachusetts -
 - (a) That work be accepted as completed as of February 28, 1999.
 - (b) That Estimate No. 2 (Final), in the amount of \$2,565.00, be approved for payment.
 - (c) That reserve, in the amount of \$1,372.40, be approved for payment.
 - (Basis of Award - \$28,700.00)
 - (Total to Date - \$27,448.00)
 - (Contract Administration Rating - 4.50)
 - (EEO Compliance - 4.75)

The Commission V O T E D: that the work of Coviello Electric and General Contracting Co., Inc., Contractor under Contract No. P98-1962-C1A, be and hereby is accepted as completed as of February 28, 1999.

The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of \$2,565.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$1,372.40, for payment.

1. Report of Messrs. Faucher and Thurlow, July 22, recommending the following on Contract No. P98-1934-C1A, with Tree Technology & Landscape Co., Inc., for Selective Clearing and Prunning at Bellevue Hill -

(a) That work be accepted as completed as of June 30, 1999.

(b) That Estimate No. 4 (Final), in the amount of \$7,877.40, be approved for payment.

(c) That reserve, in the amount of \$2,377.80, be approved for payment.

(Basis of Award - \$29,556.00)

(Total to Date - \$47,556.00)

(Contract Administration Rating - 4.30)

(EEO Compliance - 2.50)

The Commission V O T E D: that the work of Tree Technology & Landscape Co., Inc., Contractor under Contract No.

P98-1934-C1A, be and hereby is accepted as completed as of June 30, 1999.

The Commission V O T E D: to approve Estimate No. 4 (Final), in the amount of \$7,877.40, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$2,377.80, for payment.

Action was taken upon the following matters relating to the Office of the General Counsel:

2. Report of Mr. Gray, August 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 10.53 acres of land owned by Stanley D. and Elizabeth A. Askalis, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of \$50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 10.53 acres of land owned by Stanley D. and Elizabeth A. Askalis, located in the Town of Boylston, Massachusetts.
The Commission further V O T E D: to approve an award of damages in the amount of \$50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 5, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of registered land lying on the southerly side of the westerly end of Central Street, more particularly bounded and described as follows:

Beginning at a concrete bound found at a point in the southerly line of Central street, at the northeasterly corner of land, formerly of Raymond B. Lovell et al, now or formerly, of Bertil and Carol Quist, said bound also marking the northwesterly corner of the parcel herein being described;

Thence S. 20° 33' 10" E., 325.00 feet, by land, now or formerly, of B. & C. Quist, to a concrete bound found at the southeasterly corner of said abutting lot, and at land, formerly of Samuel L. Shanberg, now or formerly, of Robert E. Colbert;

Thence On the same bearing, 270.48 feet, by land, now or formerly, of R.E. Colbert, to another concrete bound found;

Thence S. 18° 26' 10" E., 336.96 feet, by land, now or formerly, of R.E. Colbert, to a concrete bound found;

Thence S. 20° 46' 50" E., 165.00 feet, by land, now or formerly, of R.E. Colbert, to a concrete bound found at the southernmost corner of the parcel herein being described, and land, now or formerly, of Barbara K. Smith & Natalie M. Matheson;

Thence N. 34° 37' 10" E., 614.71 feet, by land, now or formerly, of B.K. Smith & N.M. Matheson, to a disc in concrete bound found at the southeasterly corner of the parcel herein being described, and land, now or formerly, of Steven & Gina Tashjian;

Thence N. 11° 26' 59" W., 603.89 feet, by land, now or formerly, of S. & G. Tashjian, to a drill hole found in a stone wall marking the southerly line of Central Street;

Thence S. 73° 01' 50" W., 55.54 feet, by the wall and the southerly line of the street, to a concrete bound found;

Thence S. 84° 44' 50" W., 154.49 feet, by the wall and the southerly line of the street, to a point in said wall;

Thence N. 85° 43' 00" W., 70.40 feet, by the wall and the southerly line of the street, to a point in a corner of walls;

Thence N. 83° 58' 30" W., 92.40 feet, by the southerly line of the street, to a point;

Thence S. 81° 06' 00" W., 155.02 feet, by the southerly line of the street, to a concrete bound found;

Thence S. 71° 43' 30" W., 85.62 feet, by the southerly line of the street, to the first mentioned concrete bound found at land, now or formerly, of B. & C. Quist, being the point and place of beginning.

Containing 458,631 square feet, or 10.53 acres, more or less, by CAD calculation, as shown as Lot 6 upon a plan entitled "Subdivision Plan of Land in Boylston," dated November 29, 1978, prepared by Reney Brothers, Inc., Surveyors, which plan was received for registration at Worcester Registry District of the Land Court, on March 13, 1981, noted on Certificate No. 7242 in Registration Book 37, and filed in the Land Registration Office July 21, 1980, as Plan 28796C.

Lot 6 is a subdivided portion of Lot 1 shown on Plan 28796A filed with Original Certificate of Title No. 6097 at Worcester Registry District of Land Court, Originally Registered on January 25, 1962 in Registration Book 31, Page 6097, and is the remaining portion of land still registered in the names of Stanley D. Askalis and Elizabeth A. Askalis in Transfer Certificate of Title No. 7292, Document No. 5265, registered on October 22, 1968 in Registration Book 37, Page 7292.

All of the boundaries described above are as determined by the Court and shown on the above cited Land Court Plan. The current abutters listed are from Boylston Assessors records and from the following two unrecorded survey plans prepared for the Metropolitan District Commission and on file in the Real Property Office at MDC Headquarters, 20 Somerset Street, Boston MA, 02108.

1) A perimeter plan of property belonging to Robert E. Colbert, entitled "Commonwealth Of Massachusetts Metropolitan District Commission Division Of Watershed Management Boylston, Mass. (Worcester County) Land Taking Plan For Watershed Protection," dated May 30, 1995 and prepared by Schofield Brothers of New England, Inc., David W. Humphrey, P.L.S.

2) A perimeter plan of property belonging to Barbara K. Smith & Natalie M. Matheson, entitled "Commonwealth Of Massachusetts Metropolitan District Commission Division Of Watershed Management Boylston (Worcester County) Mass. Land Taking Plan For Watershed Protection," dated February 4, 1997 and prepared by Guerard Survey Co. & Associates, Inc., Richard W. Guerard, R.L.S.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Central Street, which may be held by the supposed owners as a result of their ownership of the above described premises, and being a portion of the same premises described in a warranty deed from F. Stanley Wright and Doris A. Wright to Stanley D. Askalis and Elizabeth A. Askalis, dated October 5, 1968 and registered with Worcester Registry District of Land Court on October 22, 1968 as Document No. 25265. See Transfer Certificate of Title No. 7292 registered in Registration Book 37, Page 7292.

The above described property is represented upon the Revised Hoyalston Assessors Tax Maps, dated May 1997, as Parcel 12 on Map 36.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNERS</u> | <u>AWARD</u> |
|--|--------------|
| Stanley D. Askalis and Elizabeth A. Askalis | \$ 50,000.00 |

1. Report of Mr. Gray, August 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 13.85 acres of land owned by Baldarelli Brothers, Inc., located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of \$118,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 13.85 acres of land owned by Baldarelli Brothers, Inc., located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 5, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of assembled land lying on the easterly side of the Sterling Place and the easterly side of Sterling Road-Route 12, as laid out and altered by Worcester County in 1928 and 1933 respectively, at their northerly intersection more particularly bounded and described as follows:

Beginning at the southwesterly corner of the parcel herein being described, at a point in the easterly line of the 1928 Worcester County Layout of Sterling Road, discontinued as a State Highway in 1948 and now known as Sterling Place, at the northwesterly corner of land, formerly of Charles K. Prescott, later of Joseph White, and now or formerly, of Nils W. & Theresa L. Robertson, said point being more precisely located N. 00° 02' 20" W., 379.05 feet from a Worcester County Highway bound in the easterly line of Sterling Place between Stations 43 & 44 of the record 1928 Layout;

- Thence N. 84° E. 448.8 feet, more or less, by land, now or formerly, of N. W. & T. L. Robertson, to a point at land, formerly of Edward A. Cowee, later of William H. Johnson, and now or formerly, of the Fortunato Giobellina Estate;
- Thence N. 39° 20" E., 137.1 feet, more or less, to a point at a corner;
- Thence N. 02° 46' E., 298.0 feet, more or less, to the remains of a stake & stones;
- Thence N. 67° 32' W., 99.3 feet, more or less, to the remains of another stake & stones at a corner;
- Thence N. 02° 12' E., 269.45 feet, more or less, to the remains of a stake & stones, at land, formerly of Jennie L. Goodnow, now or formerly, of the Fortunato Giobellina Estate, the last four courses being by land, formerly of E.A. Cowee, later of W. H. Johnson, and now or formerly, of the Fortunato Giobellina Estate;
- Thence N. 04° 06' W., 660.0 feet, more or less, through a series of remains of stakes & stones, to the remains of a stake & stones at an angular corner;
- Thence S. 51° 11' E., 57.4 feet, more or less, to the remains of a stake & stones at an angle;
- Thence N. 01° 49' E., 189.75 feet, more or less, to a point at which an ash tree once stood, and land, formerly of the Heirs of Harrison Fairbank, now or formerly, of Stillwater Meadows, Inc., the last four courses being by land, formerly of Jennie L. Goodnow, now or formerly, of the Fortunato Giobellina Estate;
- Thence N. 20° 20' W., 176.0 feet, more or less, by land, now or formerly, of Stillwater Meadows, Inc., to a point in the easterly Layout Line of the 1933 Worcester County Layout of Sterling Road-Route 12;
- Thence S. 08° 48' 35" W., 155.79 feet, more or less, by the easterly line of the highway, to a Worcester County Highway bound at Station 210+12.47;

Thence Southeasterly, by the easterly line of the highway, along a curve to the left, having a radius of 3220.00 feet, an arc distance of 1026.66 feet, said arc being subtended by a central angle of 18° 16' 05" to a point of tangency, at another Worcester County Highway bound, in the easterly line of Sterling Place, at Station 33+05.24 of the 1928 Record Layout;

Thence S. 09° 27' 30" E., 605.95 feet, by the easterly line of Sterling Place, to a point;

Thence S. 00° 02' 20" E., 26.71 feet, more or less, by the easterly line of Sterling Place, to the first mentioned point at the southwesterly corner of the parcel being described herein, being the point and place of beginning.

Containing 13.85 acres, more or less, by estimate.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Sterling Road-Route 12 and/or Sterling Place, which may be held by the supposed owner as a result of its ownership of the above described property, and being those portions, lying easterly of Sterling Road-Route 12 and Sterling Place, of the same premises described in four deeds; the first being Tract 1 in a deed from Marzia Ventres to Baldarelli Brothers, Inc., dated October 17, 1972 and recorded with Worcester District Registry of Deeds in Book 5272, Page 575; the second being Tracts 1 & 2 in a deed from Francis N. Luce to Baldarelli Brothers, Inc., dated November 1, 1969 and recorded with said Deeds in Book 4999, Page 117; the third being Tracts 1,2,4 & 5 in a deed from Freda B. Steigner to Baldarelli Brothers, Inc., dated December 3, 1966 and recorded with said Deeds in Book 4720, Page 595; and the fourth being Tracts 1 & 2 in a deed from Francis N. Luce to Baldarelli Brothers, Inc., dated February 27, 1974 and recorded with said Deeds in Book 5444, Page 11.

There is specifically reserved to the former owner a temporary right and easement upon the cart path crossing the southerly portion of the above described assembled parcel, herein and hereby taken, near the abutting land, now or formerly, of Nils W. & Therese L. Robertson, running from Sterling Place easterly to land, now or formerly, of the Estate of Fortunato Giobellina, as presently existing, for the express use of said former owner, for ingress and egress purposes in the extraction of gravel from said abutting land, now or formerly, of Giobellina. Said reserved right of way shall commence with the recording of this instrument with the Worcester District Registry of Deeds, and cease no later than June 1, 2003. This reserved easement is shown upon EXHIBIT A, appended hereto and made a part hereof.

The above described property is represented upon West
Beylton Assessors Tax Map 115 as Parcel 81.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNER</u> | <u>AWARD</u> |
|--|---------------|
| Baldarelli Brothers, Inc. | \$ 118,000.00 |
| The Commission further V O T E D: to approve an award of damages in the amount of \$118,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. | |

1. Report of Mr. Gray, August 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 8.10 acres of land owned by Baldarelli Brothers, Inc., located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of \$130,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 8.10 acres of land owned by Baldarelli Brothers, Inc., located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 5, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off of the easterly side of Shrewsbury Street, and adjacent to the easterly line of the railbed of the Boston & Maine Railroad, more particularly bounded and described as follows:

Beginning at the southwesterly corner of the parcel herein being described, said point being also the northwesterly corner of a parcel of land, now or formerly, of John W. Lund, described in a conveyance from the County of Worcester, dated November 1, 1960, and recorded with Worcester District Registry of Deeds, in Book 4164, Page 506;

Thence Northerly, by the easterly line of the railbed of the Boston & Maine Railroad, one thousand sixty-four (1,064) feet, more or less, to a point at land, formerly of one Wickstrom, now or formerly, of Shell Oil Company;

Thence S. 84° 54' E., by land, now or formerly, of Shell, three hundred (300) feet, more or less, to a point at land, now or formerly, of New England Power Company;

Thence S. 08° 49' 40" W., by land, now or formerly, of New England Power Company, nine hundred seventy-three (973) feet, more or less, to a point at land, now or formerly, of John W. Lund;

Thence S. 87° 43' 10" W., by land, now or formerly, of Lund, four hundred fifty-eight (458) feet, more or less, to the point and place of beginning.

The above described parcel is estimated to contain eight acres, more or less, by prior deed description, and by estimation to contain approximately 8.1 acres.

Also expressly taken herein is a right of way from Shrewsbury Street to the above described parcel of land, across land, now or formerly, of Lund, for the purpose of passing and repassing on foot and with vehicles, and to use the same for any other public street purpose, including the installation and maintenance of streets and utilities. The said right of way is the same as that reserved by the County Commissioners of the County of Worcester in an instrument dated November 1, 1960 and recorded with said Deeds in Book 4164, Page 506.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from the County of Worcester to Baldarelli Brothers, Inc., dated November 1, 1960 and recorded with Worcester District Registry of Deeds in Book 4930, Page 64.

The above described property is represented upon West Boylston Assessors Tax Map 172 as Parcel 19.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNER</u> | <u>AWARD</u> |
|---------------------------|---------------|
| Baldarelli Brothers, Inc. | \$ 130,000.00 |

The Commission further V O T E D: to approve an award of damages in the amount of \$130,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 14.93 acres of land owned by Baldarelli Brothers, Inc., located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of \$60,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 14.93 acres of land owned by Baldarelli Brothers, Inc., located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 5, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the westerly side of the 1933 State Highway Layout of Sterling Road-Route 12, and easterly of the former location of Sterling Street discontinued July 16, 1907, flowed by the waters of Waushacum Brook, more particularly bounded and described as follows:

Beginning at a Metropolitan Water Works stone bound found at a point on the westerly line of Sterling Road-Route 12, at land, formerly of Burton W. Potter, now of the Commonwealth of Massachusetts, Metropolitan District Commission, as described as the fourth parcel in a M.W.W. order of taking dated March 29, 1912 and recorded with Worcester District Registry of Deeds at Book 1990, Page 61, said point being located S. 08° 48' 35" W., about 525.7 feet from another M.W.W. stone bound found at or near the corporate boundry line between the Towns of West Boylston and Sterling, this point being also at the northeasterly corner of the parcel herein described;

- Thence N. $82^{\circ} 18'$ W., 415.09 feet, more or less, by the southerly line of land, formerly of Burton W. Potter, to a point in the centerline of Waushacum Brook, at land, formerly of the Heirs of Jonathan Nichols, late of Douglas G. Rice, and now of the Commonwealth Of Massachusetts, Metropolitan District Commission, (see the MDC order of taking dated March 24, 1994 recorded with said Deeds at Book 16233, Page 50);
- Thence Southerly and westerly, by the centerline of Waushacum Brook and land, formerly of Douglas G. Rice, about 887 feet, more or less, to a point in the centerline of the former location of Sterling Street, discontinued July 16, 1907, said point being located S. $08^{\circ} 56'$ E., 88.9 feet from another Metropolitan Water Works stone bound, at an angle in the line of land, formerly of Lena Leazott, taken for the Commonwealth of Massachusetts in a M.W.W. order of taking dated March 6, 1912 and recorded with said Deeds at Book 1985, Page 86;
- Thence S. $08^{\circ} 56'$ E., 661.8 feet, more or less, by the centerline of the discontinued street, and land, formerly of Frank H. Baldwin, now of the Commonwealth of Massachusetts, Metropolitan District Commission, taken in the order of taking, last above cited, to a bolt at a point in the centerline of Waushacum Brook, at the northwesterly corner of land formerly of Lucy Merriam, later of Anna Aksila, late of the Town of West Boylston, and, now or formerly, of Walter R. Rotti;
- Thence Easterly, about 492 feet, more or less, by land, now or formerly, of Walter R. Rotti, to a point at which a stake once stood marking the northernmost corner of said abutters land;
- Thence Southeasterly, about 248 feet, more or less, to a point at which an elm tree once stood, being the easternmost corner of land, now or formerly, of W. R. Rotti;

- Thence Southwesterly, about 350 feet, more or less, by land, now or formerly, of W. R. Rotti, to a point in the centerline of Waushacum Brook, at land, formerly of Frank H. Baldwin, now of the Commonwealth of Massachusetts, MDC;
- Thence Southeasterly and downstream, 78 feet, more or less, by the centerline of Waushacum Brook and land, formerly of F. H. Baldwin, to another M.W.W. stone bound marking the easterly corner of land, formerly of the aforesaid Baldwin, and the northernmost corner of land, formerly of the Inhabitants of West Boylston, being the former Town Farm, later land of Elmer I. & Elsie E. Christenson, and, now or formerly, land of Wallace E. Baldarelli (see deed dated 22 August 1947 recorded with said Deeds at Book 3071, Page 450);
- Thence Southeasterly and downstream, about 50 feet, more or less, by the centerline of the Waushacum Brook, to a stone bound in the brook, at the westernmost corner of land, formerly of Joseph E. Toombs, later of the aforesaid Elmer I. & Elsie E. Christenson, and now or formerly, of Wallace E. Baldarelli (see deed dated August 22, 1947 recorded with said Deeds at Book 3071, Page 451);
- Thence Easterly, about 270 feet, more or less, by land, now or formerly, of Wallace E. Baldarelli, to a point in the 1933 Worcester County Record Layout of Sterling Street-Route 12;
- Thence N. 08° 48' 35" E., about 915 feet, more or less, by the westerly line of Sterling Street-Route 12, to the first mentioned Metropolitan Water Works stone bound at the southeasterly corner of land, formerly of Burton W. Potter, being the point and place of beginning.

Containing 14.9 acres, more or less, by estimate.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Sterling Road-Route 12 and/or Waushacum Brook which may be held by the supposed owner, as a result of its ownership of the above described property, and being the same premises described in a deed from Evo L. Baldarelli, Richard E. Baldarelli, and Wallace E. Baldarelli, Trustees of the REW Realty Trust, to Baldarelli Brothers, Inc., dated October 15, 1991 and recorded with Worcester District Registry of Deeds in Book 13702, Page 322.

The above described property is represented upon West Boylston Assessors Tax Map 110 as Parcel 10.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNER</u> | <u>AWARD</u> |
|---------------------------|--------------|
| Baldarelli Brothers, Inc. | \$ 60,000.00 |

The Commission further V O T E D: to approve an award of damages in the amount of \$60,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 12 acres of land owned by Baldarelli Brothers, Inc., located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of \$92,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 12 acres of land owned by Baldarelli Brothers, Inc., located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 5, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying between Prospect Street and Sterling Street-Route 12, accessed from Horseshoe Drive and Western Avenue, comprised of a number of unbuilt lots originally intended for residential construction, together with portions of unconstructed paper streets named Horseshoe Drive, Saddle Lane, Bridal Lane, Concord Street and Western Avenue, upon a series of recorded subdivision survey plans referenced at the conclusion of this description, more particularly bounded and described as follows:

Beginning at a point on the southerly line of Western Avenue approximately 100 feet easterly of Prospect Street, at the northeasterly corner of Lot 5, land, now or formerly, of Bernard J. & Ellen M. Cortright, being also the northwesterly corner of Lot 13 as shown upon the plans referenced below;

- Thence S. 00° 53' W., 400.00 feet, by the easterly lines of land, now or formerly, of B. J. & E. M. Cortright, of Susan H. Boynton, of Loe P. & Shirley V. Fidrych, and of John McDonnell & Maureen Cowie, being the westerly lines of Lots 13, 14, 15 and 16, to a point at land, now or formerly, of Harold & Mary Johnson;
- Thence S. 82° 00' E., 75.00 feet, to a point at the northwesterly corner of Lot 17;
- Thence S. 00° 53' W., 110.0 feet, by the westerly line of Lot 17, to a point in a stone wall, at land, now or formerly, of Elaine & Susan D. Novia, the last two courses being by land, now or formerly, of H. & M. Johnson;
- Thence S. 82° 00' E., 280.00 feet, by the stone wall and a wire fence, to a point on the westerly line of Saddle Lane, a paper street, this course being by the southerly lines of Lots 17 & 18, and by the northerly lines of land, now or formerly, of Novia, of David A. & Demis M. Casey, and of Harvey R. Goldstein et al;
- Thence On the same bearing, by the fence, 40.00 feet, more or less, crossing "Saddle Lane" to a point at the southwesterly corner of Lot 35, this course being by the northerly line of land, now or formerly, of Goldstein et al;
- Thence On the same bearing, by the fence and the southerly line of Lot 35, 135.0 feet, by the fence and the continuation of the stone wall, to a point at the southwesterly corner of Lot 36, land, now or formerly, of Russell J. & Kathleen A. Wilson, this course being by the northerly line of land, now or formerly, of Goldstein et al, and land, now or formerly, of Thomas F. & Joan J. Loughlin;
- Thence N. 00° 53' E., 75.00 feet, by land, now or formerly, of Wilson, and the westerly line of Lot 35, to a point on the southerly line of Horseshoe Drive;
- Thence Northwesterly, about N. 18° W., 60 feet, more or less, crossing Horseshoe Drive to a point at the southwesterly corner of Lot 34A, land, now or formerly, of Hans J. Kanerva;

- Thence N. 00° 53' E., 102.19 feet, by the westerly line of Lot 34A, to a point at its northwesterly corner;
- Thence S. 82° 00' E., 500.62 feet, by the northerly lines of Lots 34A, 78, 77 and 76, lands, now or formerly, of Kaneva, of Manuel & Ruth M. Esteves, of Barbara A. Teague, and of George J. & Joan R. Aziz, also crossing Bridal Lane and Concord Street, the intervening streets, to a point at a corner common to Lots 76, 75 and 80, lands, now or formerly, of Aziz, of Francis E. & Madeline M. Hayes, and of Paul D. & Carol A. McGuiggan;
- Thence N. 00° 53' E., 296.28 feet, by the westerly lines of Lots 80, 85, and 92, lands, now or formerly, of McGuiggan, of Thomas B. & Jean I. Daly, and of Raymond H. & Clara C. Fortin, to a point on the southerly side of the northerly leg of Western Avenue, at the northwesterly corner of Lot 92;
- Thence N. 09° 59' 48" W., 52.57 feet, by the westerly end of the northerly leg of Western Avenue, to a point at the southwesterly corner of Lot 99, land, now or formerly, of Stanley L. & Lynette Hopper;
- Thence N. 00° 53' E., 100.00 feet, by the westerly line of Lot 99, to a point at its northwesterly corner, in a stone wall marking the southerly line of land, now or formerly, of Baldarelli Brothers, Inc.;
- Thence N. 82° 00' W., 790.31 feet, more or less, by the stone wall, partially by land, now or formerly, of Baldarelli Brothers, Inc., and partially by land, now or formerly, of Richard W. & Karen L. Stepien, being also the northerly lines of Lot 98, of two unnumbered Lots, of Bridal Lane, and of Lots 12, 11, 10 and 9, to a point in the wall at the northeasterly corner of Lot 8, land, now or formerly, of Louis W. Jr. & Gloria L. Oppici;
- Thence S. 00° 53' W., 100.00 feet, by Lot 8, land, now or formerly, of Oppici, to a point on the northerly line of Western Avenue, at the southeasterly corner of said Lot;
- Thence On the same bearing, 25.00 feet, to a point in the middle of the Western Avenue layout;

Thence N. 82° 00' W., 202.00 feet, by the middle of the Western Avenue layout, to a point opposite the line separating Lots 5 and 13;

Thence S. 00° 53' W., 25.00 feet, to the first mentioned point, being the point and place of beginning.

Containing 12 acres, more or less, shown as Lots 9 through 33, 35, 81, 86, 93, 98, and eight unnumbered Lots, together with the adjoining unbuilt portions of Western Avenue and Horseshoe Drive, as well as paper streets designated Concord Street, Bridal Lane and Saddle Lane, as described in prior deeds, and as shown upon the following recorded plans:

1) A plan entitled "Wood Acres Development In West Boylston, Massachusetts," dated November 6, 1951, prepared by Gosta R. Truedsson, C.E., and recorded with Worcester District Registry of Deeds as Plan 92 in Plan Book 178, Sheet 1 of 2.

2) A plan entitled "Partial Plan Of 'Wood Acres' In West Boylston, Mass.," dated September 1958, prepared by Robinson Engineering, Inc., and recorded with said Deeds as Plan 91 in Plan Book 235.

3) A plan entitled "Wood Acres Development In West Boylston, Massachusetts, Wood Acres, Inc. Owner," dated February 21, 1955, prepared by Gosta R. Truedsson, C. E., and recorded with said Deeds as Plan 73 in Plan Book 204.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Horseshoe Drive, Western Avenue, Saddle Lane, Bridal Lane, and/or Concord Street, which may be held by the supposed owner, as a result of its ownership of the above described property, and being the same premises described in a deed from Richard E. Baldarelli to Baldarelli Brothers, Inc., dated August 24, 1976 and recorded with Worcester District Registry of Deeds in Book 6012, Page 172, (and being a portion of the premises formerly held by Wood Acres, Inc., as described in two deeds, the first from William A. Wood & Merle A. Wood dated September 3, 1953, recorded with said Deeds in Book 3543, Page 106, and the second from Frank L. Coes & Cora M. Coes, dated February 4, 1954, and recorded with said Deeds in Book 3594, Page 78).

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The above described property is represented upon West
Boylston Assessors Tax Map 116 as Parcel 20.

AND IN LIKE MANNER, for the same purposes and by virtue
of the same powers, the said Metropolitan District
Commission does hereby order the taking of and does hereby
take in the name and for the benefit of the Commonwealth of
Massachusetts, for the purposes of said acts and provisions,
all trees on said land and structures affixed to said land,
with the exception of the poles, wires, cables, conduits,
pipes and their appurtenances, for the conveyance of water,
sewage, steam, gas and electricity, and for the transmission
of telephone and telegraph communications and data or
signals by electrical or electronic or electromagnetic means
of any kind, now lawfully in or upon said land, and
excluding all easements of record on, over, under, across
and through said land.

The Commission awards damages sustained by the supposed
owner of the land hereinabove mentioned by reason of said
taking, in the following sum:

| <u>OWNER</u> | <u>AWARD</u> |
|---------------------------|--------------|
| Baldarelli Brothers, Inc. | \$ 92,000.00 |

The Commission further V O T E D: to approve an award of damages
in the amount of \$92,000.00, together with such damages and costs
as required under General Laws, Chapter 79, Sections 6, 12, 39
and 44A.

1. Report of Mr. Gray, August 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 98.6 acres of land owned by Paul N. DeMeo, located in the Town of Leominster, Massachusetts, and to approve an award of damages in the amount of \$500,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 98.6 acres of land owned by Paul N. DeMeo, located in the Town of Leominster, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 5, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the City of Leominster in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northerly side of Wachusett Street and off of the southeasterly side of Elm Street, more particularly bounded and described as follows:

Beginning at a point in a stone wall, on the northerly line of Wachusett Street, said point being at the southwesterly corner of a lot of land, late of Brian Carlson Custom Homes, Inc., now or formerly, of Gregg Richardson, as described in a deed recorded with Worcester Northern District Registry of Deeds at Book 2686, Page 283;

Thence N. 89° 24' 39" W., 344.48 feet, by the stone wall and the northerly line of Wachusett Street, to a point in said wall, at the southeasterly corner of other land, formerly of Paul DeMeo, now or formerly, of Barry Perla, located at 689 Wachusett Street, as described in a deed recorded with said Deeds at Book 2903, Page 258 and shown upon a survey plan referenced at the conclusion of this description;

Thence N. 03° 35' 35" E., 221.02 feet, by said abutting lot, to a point at its northeasterly corner;

Thence N. 86° 24' 25" W., 200.00 feet, by said abutting lot, to a point at its northwesterly corner;

Thence S. 03° 35' 35" W., 225.00 feet, by said abutting lot, to a point in the stone wall and northerly line of Wachusett Street, at the southwesterly corner of said abutting lot;

Thence N. 86° 24' 25" W., 100.00 feet, by the stone wall and the street, to a point at the southeasterly corner of two adjoining lots, located at 705 and 717 Wachusett Street, respectively, land, now or formerly, of Seppala Construction as described in a deed recorded with said Deeds at Book 3163, Page 233;

Thence N. 03° 35' 35" E., 267.21 feet, by land, now or formerly, of Seppala Construction, to a point at the northeasterly corner of said abutting land;

Thence N. 83° 42' 13" W., 350.39 feet, by said land, now or formerly, of Seppala Construction, to a point at the northwesterly corner of said abutting land;

Thence S. 03° 35' 35" W., 138.31 feet, by said land, now or formerly, of Seppala Construction, to a point in a concrete bound at the easterly end of a stone wall segment, said point being at the northeasterly corner of land, formerly of James Cleary, late of Barry Foss, and now or formerly, of Carl R. Morrill, as described in a deed recorded with said Deeds at Book 2749, Page 164;

Thence N. 88° 53' 13" W., 229.13 feet, by land, now or formerly, of C.R. Morrill, by and through the wall segment, to a point at an angle;

Thence S. 48° 19' 15" W., 47.56 feet, by land, now or formerly, of C.R. Morrill, to a point;

Thence N. 83° 12' 23" W., 134.72 feet, by land, now or formerly, of C.R. Morrill, to a point at other land, formerly of James Cleary, now or formerly, of the Leominster Sportsmens Association as described in a deed recorded with said Deeds at Book 605, Page 386, said point being the northwesterly corner of land, now or formerly, of C.R. Morrill;

Thence N. 83° 23' 42" W., 165.40 feet, by land, now or formerly, of the Leominster Sportsmens Association, to a point at an angle;

Thence N. 32° 21' 01" W., 189.57 feet, by land, now or formerly, of the Leominster Sportsmens Association, to a point at the southeasterly corner of land, formerly of Darwin Powers, now or formerly, of Gerald Nelson as described in a deed recorded with said Deeds at Book 1530, Page 107;

Thence N. 30° 53' 59" E., 286.05 feet, to a point;

Thence N. 30° 07' 59" E., 236.65 feet, to a point;

Thence N. 30° 35' 59" E., 274.97 feet, entering and running by a stone wall to a point in a corner of walls;

Thence N. 55° 01' 11" W., 196.59 feet, by the wall, to a point therein;

Thence N. 55° 04' 36" W., 199.87 feet, by the wall, to a drill hole set at a point therein;

Thence N. 55° 02' 49" W., 18.00 feet, by the wall to a point in the wall at the southeasterly corner of two adjoining lots, located at 1368 and 1362 Elm Street, respectively, other land, formerly of Paul DeMeo, now or formerly, of Horgan Construction as described in a deed recorded with said Deeds at Book 3164, Page 34, the last six courses being by land, formerly of James Cleary, now or formerly, of Gerald Nelson;

Thence N. 39° 50' 55" E., 507.64 feet, partially by the southeasterly and rear lines of the two lots, now or formerly, of Horgan Construction, and partially the rear line of a lot of land, located at 1354 Elm Street, formerly of Paul DeMeo, late of Horgan Construction, and now or formerly, of Mark J. & Melinda L. Darrigo, as described in a deed recorded with said Deeds at Book 3397, Page 159, to a point at an angle in the rear line of the last named abutter;

Thence N. 25° 37' 13" E., 374.17 feet, partially by the southeasterly and rear lines of land, now or formerly, of M.J. & M.L. Darrigo, and partially by the southeasterly and rear lines of two other lots, located at 1344 and 1334 Elm Street respectively, being other lands formerly of Paul DeMeo, late of Horgan Construction, and now or formerly, of David A. & Rosemary Reirden, and of William R. Aveyard, respectively, as described in two deeds recorded with said Deeds at Book 3379, Page 79 and Book 3363, Page 271, to a point at another 4 acre lot of land, now or formerly, of Paul DeMeo, excluded from the terms and conditions of the restrictions imposed herein, shown upon the cited survey plan as "4 Acres To Be Excluded From The Conservation Restriction Easement";

Thence N. 55° 02' 49" E., 384.76 feet, to a point at the southeasterly corner of the excluded land;

- Thence N. 31° 55' 26" E., 488.57 feet, by the southeasterly line of the excluded land, to a point in the southeasterly end of a stone wall, said point being at the southeasterly corner of land, formerly of the Welch heirs, located at 1296 Elm Street, now or formerly, of Michael A. Vaillette et ux, as described in a deed recorded with said Deeds at Book 1128, Page 316;
- Thence On the same bearing, 520.00 feet, partially by the rear line of land, now or formerly, of M.A. Vaillette et ux, and partially by the rear line of land, located at 1294 Elm Street, late of Thomas W. Huppuch et ux, now or formerly, of William Zwemke, as described in a deed recorded with said Deeds at Book 3144, Page 30, and partially by land, now or formerly, of Dennis Vachon, Trustee of Vachon Realth Trust (Grandview Country Club), as described in a deed recorded with said Deeds at Book 1030, Page 375, to a point at a corner, said point being the northernmost point of the parcel herein being described;
- Thence S. 75° 34' 54" E., 351.48 feet, by land, now or formerly, of Dennis Vachon, Trustee of Vachon Realty Trust, to a point at an angle;
- Thence S. 74° 49' 54" E., 168.96 feet, to a point at a corner, and land, formerly of Henry A. Boutelle, now or formerly, of Dennis Vachon, Trustee of Vachon Realty Trust, the last three courses being by land, formerly of the Welch heirs, now or formerly, of the above cited owners;
- Thence S. 26° 55' 06" W., 544.50 feet, to a point at a corner;
- Thence S. 55° 36' 47" E., 132.09 feet, to a point at an angle;
- Thence S. 76° 44' 46" E., 48.24 feet, to a point;
- Thence S. 77° 42' 01" E., 235.81 feet, to a point;
- Thence S. 77° 28' 51" E., 365.79 feet, to a point;

Thence S. 77° 36' 46" E., 264.72 feet, to a point at an angle, and land, formerly of D. Waldo Salisbury, other land, now or formerly, of Dennis Vachon, Trustee of Vachon Realty Trust, the last six courses being by land, formerly of Henry A. Boutelle, now or formerly, of Dennis Vachon, Trustee of Vachon Realty Trust;

Thence S. 25° 48' 28" E., 210.49 feet, to a point at an angle;

Thence S. 14° 02' 15" W., 1003.12 feet, to a point at an angle;

Thence S. 58° 26' 44" W., 404.45 feet, to a point at a corner;

Thence S. 43° 50' 27" E., 19.67 feet, to a point at the northeasterly end of a stone wall, the last four courses being by land, formerly of D. Waldo Salisbury, now or formerly, of Dennis Vachon, Trustee of Vachon Realty Trust, as described in the last above cited deed;

Thence S. 46° 59' 58" W., 125.53 feet, by the wall and other land, formerly of D. Waldo Salisbury, now or formerly, of Dennis Vachon, as described in a deed recorded with said Deeds at Book 2372, Page 219, to a point in said wall at the northeasterly corner of the abutting parcel first mentioned, land, late of Brian Carlson Custom Homes, Inc., now or formerly, of Gregg Richardson;

Thence N. 66° 24' 25" E., 415.77 feet, to a point at a corner;

Thence S. 03° 35' 35" W., 229.95 feet, to the first mentioned point in the stone wall and northerly line of Wachusett Street, being the point and place of beginning.

Containing 98.6 acres, more or less, as shown upon a plan entitled "Easement Plan Of Land In Leominster, Mass. Prepared For Paul DeMeo", dated June 15, 1999, prepared by Whitman & Bingham Associates, Inc., which plan is recorded with the Worcester Northern District Registry of Deeds at Plan Book 404 , as Plan 18.

The aforementioned parcel is supposed to be owned by the following owner:

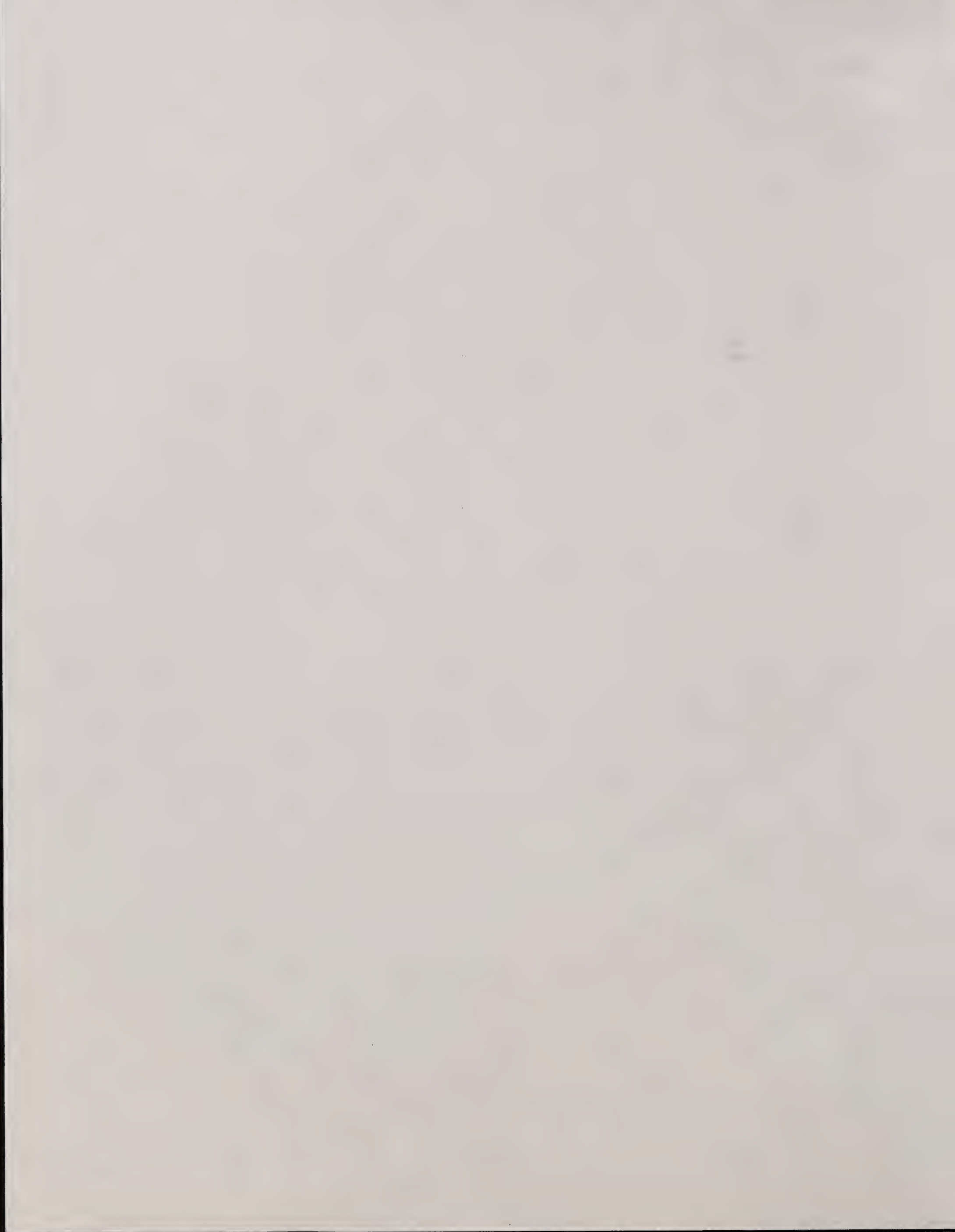
| <u>OWNER</u> | <u>RESTRICTION AREA TAKEN</u> |
|--------------|-------------------------------|
| Paul DeMeo | 98.6 acres ± |

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being most of the same premises described in a deed from Henry Miller to Paul N. DeMeo, dated 13th, September 1994 and recorded with Worcester Northern District Registry of Deeds at Book 2633, Page 339. (Note the deed cited conveyed an undivided one half interest in the above described premises.) See also the Last Will and Testament of Albert E. Miller, Jr. as filed with Norfolk County Probate Court, Case No. 95PR2149-EP1, (d.o.d 2/2/95) through which the other undivided one half interest in the above described premises devised to the said Paul DeMeo.

The above described land, herein restricted, is represented upon Leominster Assessors Map 358 as most of Parcel 1.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises.
2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted.
3. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for development of any adjoining unrestricted land.
4. No septic systems or leach fields shall be permitted.
5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.
6. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.
7. No tillage.
8. No grazing or sheltering of livestock or animals shall be permitted.
9. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.
10. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.
11. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.



The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNER</u> | <u>AWARD</u> |
|---------------|---------------|
| Paul N. DeMeo | \$ 500,000.00 |

The Commission further V O T E D: to approve an award of damages in the amount of \$500,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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3901st
Aug. 5, 1999

Action was taken upon the following Various Matter:

1. Report of Mrs. O'Brien, August 3, requesting approval of Amendment No. 1, for an extension of time from August 6, 1999 to June 30, 2000, to perform additional investigations as required by the Department of Environmental Protection, on Contract Agreement No. PL93-023-S2A, with Camp Dresser and McKee, Inc., for Due Diligence Investigation of the Neponset River Trail. (At no additional Contract cost).
The Commission V O T E D: Approved.

Adjourned at 9:45 a.m., to meet on Thursday, August 12, 1999,
at 9:00 a.m.

William J. Crushel
S e c r e t a r y

Record of the Three Thousand Nine Hundred and Second (3902nd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 12, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on July 22, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Brooks, August 9, on proposals for Maintenance and Service of Hydraulic Systems at Various Flood Control Navigational Sites, Contract No. P99-2004-M2A.
(Messrs. Faucher and Brooks recommend acceptance of the lowest bid received, that of R. Zoppo Corp., of \$72,905.00).
The Commission V O T E D: to accept the lowest bid received, that of R. Zoppo Corp., of \$72,905.00.
2. Report of Messrs. Faucher, Brooks and Mayhew, August 5, recommending approval of an extension of time from July 18, 1999 to October 31, 1999, as requested by T. Cooney Company, Contractor, on Contract No. PL82-1022-C2A, for the Revere Landing Park Restrooms, Charlestown, due to need to redesign foundation in order to avoid a conflict with underground utility pipes.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from July 18, 1999 to October 31, 1999, as recommended by Messrs. Faucher, Brooks and Mayhew, in their report of August 5, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
3. Report of Messrs. Faucher and Martinez, July 22, recommending the following on Contract No. P99-1972-C1A, with T. Ford Company, Inc., for Utilities Connection for the Temporary Outdoor Peter J. Kelley Skating Rink in Jamaica Plain -
 - (a) That work be accepted as completed as of May 28, 1999.
 - (b) That Estimate No. 4 (Final), in the amount of \$59,726.68, be approved for payment.
 - (c) That reserve, in the amount of \$18,385.68, be approved for payment.
 - (Basis of Award - \$285,295.00)
 - (Amount to Date - \$367,713.54)
 - (Contract Performance Rating - 5.00)
 - (EEO Compliance - 4.67)

Associate Commissioner Carr questioned what the final cost of the overall project would be.

Mr. Brooks stated that he did not have the information at hand, but would get back to the Commission once the final cost becomes available.

The Commission V O T E D: that the work of T. Ford Company, Inc., Contractor under Contract No. P99-1972-C1A, be and hereby is

accepted as completed as of May 28, 1999.

The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of \$59,726.68, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$18,385.68, for payment.

1. Report of Messrs. Faucher and Sacco, August 6, recommending approval of an extension of time from July 30, 1999 to September 30, 1999, on Contract No. P98-1930-C1A, with J. F. White Contracting Co., for Controlled Dewatering of Granite Rail Quarry, Quincy, at the request of the Norfolk County District Attorney.

Associate Commissioner Carr questioned what the cost of the new security fence would be and would the Division return to the Commission for approval of its installation.

Mr. Sacco stated that the cost would be approximately \$18,000.00 and the Division would request Commission approval of the new fencing at the Granite Rail Quarry.

The Commission V O T E D: to approve an extension of time from July 30, 1999 to September 30, 1999, as recommended by Messrs. Faucher and Sacco, in their report of August 6, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. *Meeting of 11/11/99*
VOTED: to
rescind all
all bids received
on Contract #
P95-1804-C1A
Further VOTED:
to award the
Contract to
3rd Coastline
Company the low
bidder with a
bid of
\$4,669,959.00
Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, August 2, recommending that the Commission reject all bids on Contract No. P95-1804-C1A, for Dorchester Shores Reservations Beaches Restoration, due to insufficient Capital Bond funds in Spending Cap for Fiscal Year 2000. Mrs. Overton Bussell and Messrs. Faucher and Orfant further recommend that the project be revised and amended to reduce some costs and that the project be divided and phased into two separate projects. They further recommend permission to advertise amended Project No. P95-1804-C2A, for Improvements to Savin Hill and Malibu Beaches. Estimated Cost - \$3,500,000.00.

Time of Performance - 24 Months.

Account No. 2440-8956.

The Commission V O T E D: to reject all bids on Contract No.

P95-1804-C1A, for Dorchester Shores Reservations Beaches

Restoration, due to insufficient Capital Bond funds in Spending Cap for Fiscal Year 2000.

The Commission further V O T E D: approval for the project to be revised and amended to reduce some costs and for the project to be divided and phased into two separate projects.

The Commission further V O T E D: permission to advertise amended Project No. P95-1804-C2A, for Dorchester Shores Beaches Restoration, Improvements to Savin Hill and Malibu Beaches.

3. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, August 5, requesting approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 11 - for relocating the handrail at the handicap ramp - at a cost of \$463.50 - on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park.

(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 003-020 - Rock Excavation).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 11, on Contract No. PL82-1022-C1A.

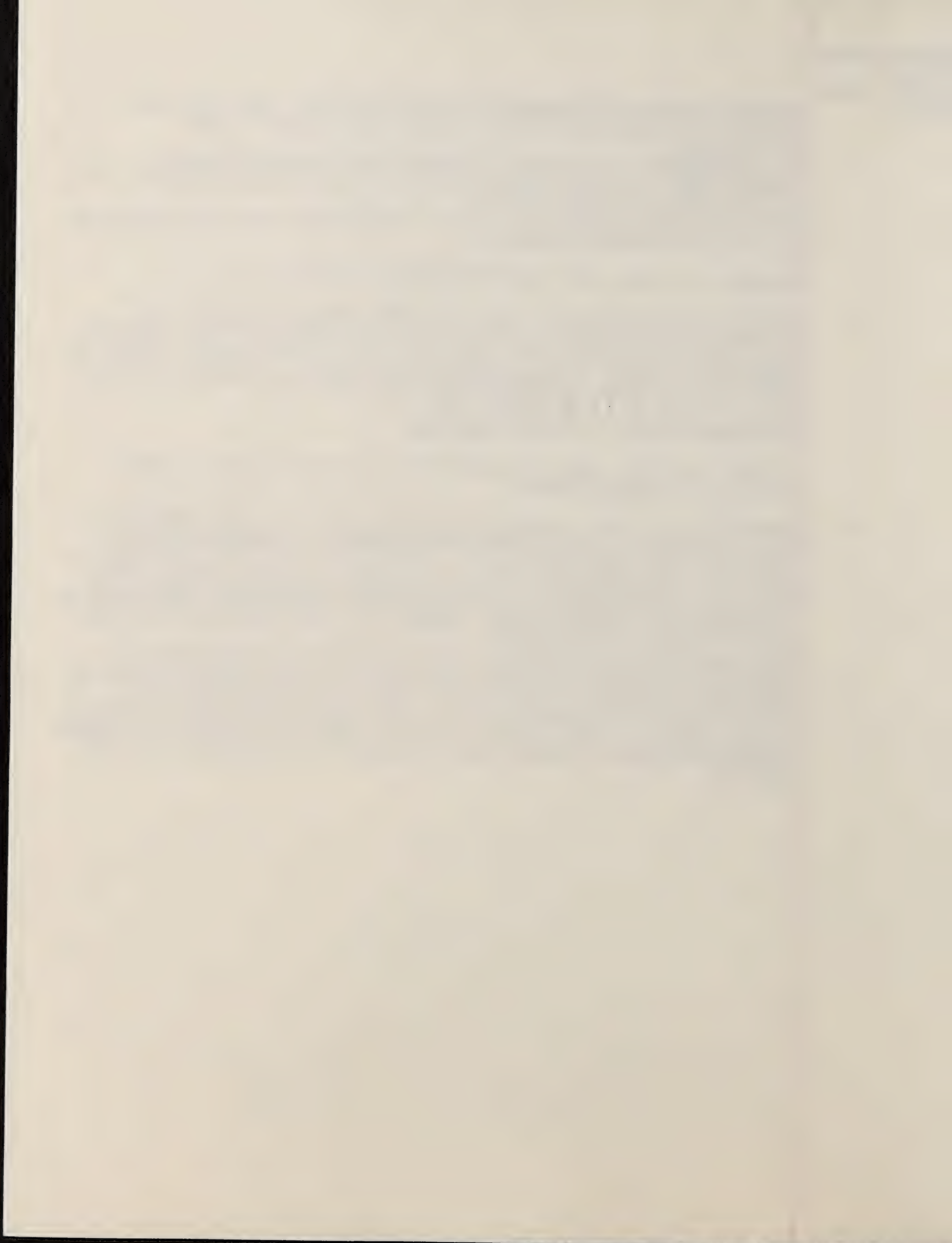
The Commission further V O T E D: to approve Extra Work Order No. 11, in the amount of \$463.50.

Action was taken upon the following Various Matter:

1. Report of Mrs. Davidge, July 30, requesting approval of an Amendment to Contract No. PL82-022-X3A, with Paul King Foundry, Inc., for Fabrication and Installation of Caste Bronze Panels in Paul Revere Park. The Amendment calls for an extension of time from July 5, 1999 to October 15, 1999.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Office of General Counsel:

2. Report of Mr. Gray, August 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 5.5 acres of land owned by Helen E. Lawrence, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of \$85,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 5.5 acres of land owned by Helen E. Lawrence, located in the Town of Boylston, Massachusetts.
The Commission further V O T E D: to approve an award of damages in the amount of \$85,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.



ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

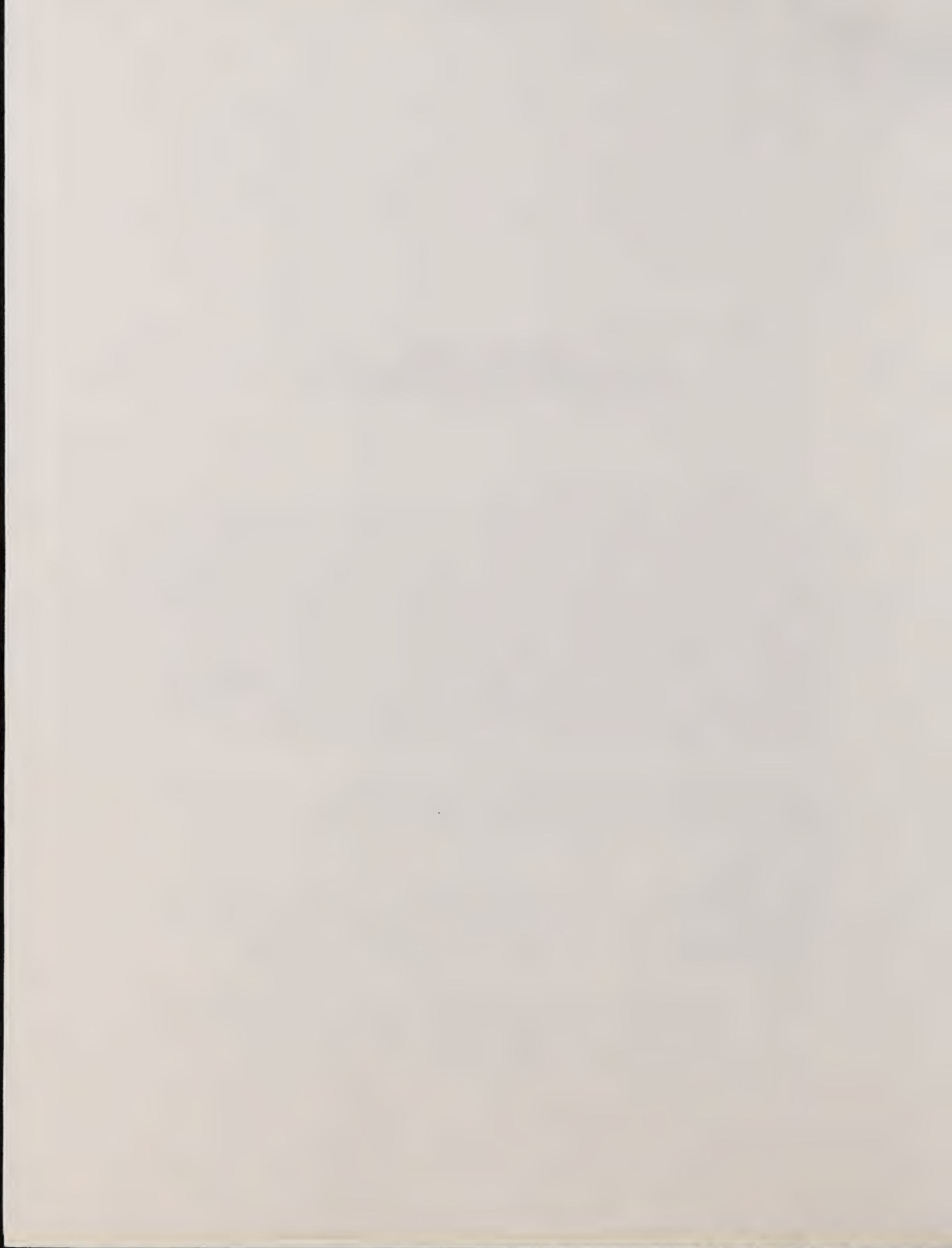
Boston, August 12, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Cross Street and the northerly side of Linden Street, at their intersection, more particularly bounded and described as follows:

Beginning at a point on the easterly line of Cross Street at the northerly end of the curve forming the line of the intersection of the easterly line of Cross Street (known as the road leading to Clinton) with the northerly line of Linden Street (known as the road leading to Berlin);

Thence Northerly, 730 feet, more or less, by the easterly line of Cross Street, to a point at land, formerly of John W. Lawrence, Jr., now or formerly, of Gene E. & Nancy J. Buddenhagen;



- Thence S. 59° 21' 04" E., 410.77 feet, by land, now or formerly, of Buddenhagen, to a point in a stone wall at land, formerly of Henry Reed, now or formerly, of George A. & Carolyn C. Stowe;
- Thence S. 28° 07' 07" W., 61.46 feet, by land, now or formerly, of Stowe, to a drill hole in the wall;
- Thence Southwesterly, about S. 27° W., by the stone wall and land, now or formerly, of Stowe, in a series of courses comprising 400.26 feet, more or less, to a point in the stone wall at land, formerly of John W. Lawrence III & Nancy C. Lawrence, now or formerly, of Kendrick & Lorraine Anderson;
- Thence N. 63° 31' 28" W., 251.06 feet, to a point at a corner;
- Thence S. 22° 11' 27" W., 234.29 feet, crossing French Brook, to a point;
- Thence S. 10° 00' 00" E., 123.50 feet, to a point on the northerly line of Linden Street, the last three courses being by land, now or formerly, of K. & L. Anderson;
- Thence S. 80° 00' 00" W., 44.50 feet, by the northerly line of Linden Street, to a point;
- Thence S. 81° 39' 26" W., 142.85 feet, by the northerly line of the street, to a point of curvature;
- Thence Northwesterly by a curve to the right, being the curve of the intersection, a distance of 17.65 feet, more or less, to the point and place of beginning.

Containing, by estimation, 5.50 acres, more or less.

There is no known record plan of the above described premises. In addition to prior deed descriptions and Assessors Plans, the following recorded plans have been used in deriving the description of the above parcel intended to be taken herein:

1) A plan entitled "Land In Boylston, Mass. Surveyed For John W. Lawrence, Jr.", dated September 1971, prepared by Charles A. Perkins Co., Inc., and recorded with Worcester District Registry of Deeds as Plan 36 in Plan Book 354. (See also the deed from John W. Lawrence, Jr. to John W. Lawrence III and Nancy C. Lawrence, dated September 23, 1971 and recorded with Worcester District Registry of Deeds at Book 5158, Page 110.)

2) A plan entitled "Plan Of Land In Boylston Mass.", dated March 28, 1985, prepared by Moore Survey & Mapping Corp., and recorded with said Deeds as Plan 55 in Plan Book 536. (See also the deed from Helen E. Lawrence to Michael W. Buddenhagen and Linda R. Buddenhagen, dated 17th June 1985 and recorded with said Deeds at Book 8761, Page 167.)

3) A plan entitled "Plan Of Land Cross Street Boylston, Massachusetts Owner: John W. Lawrence, Jr.", dated 6-13-86, prepared by E.J. Flynn Engineers, Inc., and recorded with said Deeds as Plan 9 in Plan Book 562. (See also the deed from Helen E. Lawrence to Michael W. Buddenhagen, dated 17th September 1986 and recorded with said Deeds at Book 9800, Page 335.)

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Cross Street and/or Linden Street and/or French Brook which may be held by the supposed owner, as a result of her ownership of the above described property, and being all of the remaining unsubdivided portion of the same premises described in a deed from Proctor J. Lawrence to John W. Lawrence, Jr., dated July 12, 1971 and recorded with Worcester District Registry of Deeds at Book 5158, Page 106. (See also Worcester Probate Case No. 258162, the Estate of John W. Lawrence, Jr. for title in the name of Helen E. Lawrence.)

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3902nd
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(con.-)

The above described property is represented upon the Revised
Boylston Assessors Tax Maps, dated May 1997, as Parcel 13 on
Sheet 49.

AND IN LIKE MANNER, for the same purposes and by virtue
of the same powers, the said Metropolitan District
Commission does hereby order the taking of and does hereby
take in the name and for the benefit of the Commonwealth of
Massachusetts, for the purposes of said acts and provisions,
all trees on said land and structures affixed to said land,
with the exception of the poles, wires, cables, conduits,
pipes and their appurtenances, for the conveyance of water,
sewage, steam, gas and electricity, and for the transmission
of telephone and telegraph communications and data or
signals by electrical or electronic or electromagnetic means
of any kind, now lawfully in or upon said land, and
excluding all easements of record on, over, under, across
and through said land.

The Commission awards damages sustained by the supposed
owner of the land hereinabove mentioned by reason of said
taking, in the following sum:

| <u>OWNER</u> | <u>AWARD</u> |
|-------------------|--------------|
| Helen E. Lawrence | \$ 85,000.00 |

1. Report of Mr. Gray, August 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 24.43 acres of land owned by John F. and Margaret G. May, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of \$175,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 24.43 acres of land owned by John F. and Margaret G. May, located in the Town of Sterling, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 12, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Holden Road, near its intersection with Princeton Road-Route 62, more particularly bounded and described as follows:

Beginning at a point in the southeasterly line of Holden Road, at the northwesterly end of a 50 foot wide right of way to the parcel herein being described, at land, now or formerly, of William & Pamela Viano;

Thence Easterly along the arc of a curve to the right, having a radius of 20.00 feet, an arc distance of 31.42 feet, said arc being subtended by a central angle of 90°, to a point of tangency, by land, now or formerly, of W. & P. Viano;

- Thence S. 58° 12' 34" E., 222.00 feet, by the southwesterly line of the right of way, to a point at the easternmost corner of land, now or formerly, of W.& P. Viano, near a concrete bound;
- Thence S. 31°47' 26" W., 386.99 feet, partially by land, now or formerly, of W.& P. Viano, and partially by land, now or formerly, of Roy E., Sr. & Anna I. Boynton, to a point at the southernmost corner of the latter lot, near a concrete bound, and at the easternmost corner of land, now or formerly, of Peter F. & Celeste P. Duffy;
- Thence S. 42° 17' 26" W., 434.08 feet, partially by land, now or formerly, of P.F.& C.P. Duffy, and partially by land, now or formerly, of Richard P. & Patricia A. Paoletti, to a point at which a gun barrel marks the southernmost corner of land, now or formerly, of R.P. & P.A. Paoletti, and also the westernmost corner of the parcel herein being described, said point and corner falling in the northeasterly line of land, now or formerly, of Bernadette Braconnier;
- Thence S. 36° 08' 30" E., 75.14 feet, by land, now or formerly, of B. Braconnier, to a concrete bound, at land, now or formerly, of Arthur W. & Dorothy A. French;
- Thence S. 36°11' 58" E., 356.10 feet, by land, now or formerly, of A. W. & D. A. French, to a corner marked by a gun barrel, and land, formerly of Edwin E. Wronski, Chester J. Wronski, Edmund J. Wronski and Harold J. Wronski, now of the Commonwealth of Massachusetts, Metropolitan District Commission, known as the Stillwater Farm;
- Thence N. 50° 19' 48" E., 209.22 feet, to a point at a gun barrel;
- Thence N. 52° 36' 58" E., 361.02 feet, to a drill hole in ledge at a heap of stones, at a corner, the last two courses being by the remains of a wire fence;
- Thence S. 56° 37' 54" E., 319.97 feet, to a point at the end of a stone wall;

Thence S. 54° 45' 41" E., 106.43 feet, entering and running by the stone wall, to a point in a corner of walls;

Thence N. 33° 37' 50" E., 153.53 feet, by the wall, to a point at a bend in the wall;

Thence N. 61° 28' 08" E., 264.94 feet, by the wall, to a point in the wall;

Thence N. 63° 43' 41" E., 209.26 feet, by the wall, to a point at a corner of walls;

Thence N. 59° 22' 04" E., 266.13 feet, by stone wall remnants, and entering and running by the continuation of the wall, to a point in a wall corner, at other land, formerly, of John F. & Margaret G. May, now or formerly, of Margaret G. May, Trustee, of the John F. & Margaret G. May Family Irrevocable Trust, said abutting land being shown upon a survey plan recorded with said Deeds as Plan 97 in Plan Book 725, more completely identified and referenced below at the conclusion of this description, the last eight courses being by land, formerly of Wronski, now of the Commonwealth, known as the Stillwater Farm;

Thence N. 38° 11' 26" W., 539.66 feet, by land, now or formerly, of the John F. & Margaret G. May Family Irrevocable Trust, to an iron pipe at the northeasterly corner of the parcel herein being described, said pipe being at a point in the southeasterly line of land, now or formerly, of Dorothy T. Patterson;

Thence S. 46° 57' 27" W., 236.22 feet, by land, now or formerly, of D.T. Patterson, entering and running by a stone wall, to a drill hole at a point in a bend of the wall;

Thence S. 82° 38' 31" W., 111.12 feet, partially by land, now or formerly, of D.T. Patterson, and partialy by land, now or formerly, of John P. Brewer, Jr., exiting the wall segment, running to, entering and running by another wall segment, to a drill hole at a point in another bend in the wall;

- Thence N. 75° 22' 07" W., 113.42 feet, by the wall, to a drill hole at a point in another bend in the wall;
- Thence N. 37° 06' 46" W., 285.99 feet, by and through the stone wall, to a gun barrel at a point, at a brook;
- Thence N. 23° 15' 34" W., 116.72 feet, to an iron pin marking the northernmost corner of the parcel herein being described, and also the easternmost point of land, now or formerly, of Karen L. Wright, the last three courses being by land, now or formerly, of J.P. Brewer, Jr.;
- Thence S. 54° 06' 11" W., 340.70 feet, by land, now or formerly, of K.L. Wright, to a gun barrel marking the southeasterly corner thereof, and also the easterly end of the northeasterly line of the 50 foot wide right of way from Holden Road;
- Thence N. 58° 12' 34" W., 277.47 feet, by the northeasterly line of the right of way, being partially by land, now or formerly, of K.L. Wright, and partially by land, now or formerly, of Victor J. Jr., & Donna L. Salluce, to a point of curvature;
- Thence Northerly along the arc of a curve to the right, having a radius of 20.00 feet, an arc distance of 31.42 feet, said arc being subtended by a central angle of 90°, to a point of tangency, said point being in the southeasterly line of Holden Road, this course being by land, now or formerly, of V.J.Jr., & D.L. Salluce;
- Thence S. 31° 47' 26" W., 90.00 feet, by the southeasterly line of Holden Road, to the first mentioned point at land, now or formerly, of W. & P. Viano, being the point and place of beginning.

Containing, by calculation, 24.430 acres, more or less.

The above described property is represented upon Sterling Assessors Tax Map 54 as most of Parcel 2.

This description is based both upon a survey plan entitled "Plan Of Land In Sterling Owned By John F. & Margaret G. May", dated 7 January 1980, prepared by Berry Engineering, Inc., William L. Berry, P.L.S., which plan is recorded with Worcester District Registry of Deeds as Plan 99 in Plan Book 471, and upon an exclusion plan of the northeasterly portion of the same premises entitled "Plan Of Land In Sterling To Be Retained By John F. & Margaret G. May", dated 9 October 1997, prepared by Berry Engineering, Inc., William L. Berry, Jr., P.L.S., which plan is recorded with said Deeds as Plan 97 in Plan Book 725.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Holden Road which may be held by the supposed owners, as a result of their ownership of the above described property, and being most of the same premises described in a deed from George H. Oram, Jr. and Elaine D. Oram to John F. May and Margaret G. May, dated 20th April 1979 and recorded with Worcester District Registry of Deeds at Book 6711, Page 232.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNERS</u> | <u>AWARD</u> |
|-----------------|---------------|
| John F. May | \$ 175,000.00 |
| Margaret G. May | |

The Commission further V O T E D: to approve an award of damages in the amount of \$175,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.87 acres of land owned by R. Gary Griffin, Trustee of Sawyer Road Realty Trust, located in the Town of Sterling, MA, and to approve an award of damages in the amount of \$67,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936. The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2.87 acres of land owned by R. Gary Griffin, Trustee of Sawyer Road Realty Trust, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 12, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southwesterly side of Newell Hill Road, in the vicinity of West Waushacum Pond, between said road and land of the Commonwealth of Massachusetts, Metropolitan District Commission, more particularly bounded and described, as follows:

Beginning at an iron pin set at a point in a stone wall on the southwesterly side of Newell Hill Road, at other land, now or formerly, of Sawyer Road Realty Trust, shown as Tract 3 upon a recorded survey plan referenced at the conclusion of this description, said pin marking the northwesterly corner of Tract 2, the parcel herein being described, and also the northeasterly corner of Tract 3;

Thence S. 38° 57' 19" E., 44.27 feet, by the wall and the road, to another iron pin set at a point in the wall;

Thence S. 19° 56' 34" E., 180.41 feet, by the wall and the road, to another iron pin set at a point in the wall;

Thence S. 35° 06' 46" E., 37.41 feet, by the wall and the road to a point at the end of the wall;

Thence On the same bearing, 7.91 feet, by the road, to another iron pin set to mark the northeasterly corner of Tract 2, and also the northwesterly corner of Tract 1, other land, now or formerly, of Sawyer Road Realty Trust, shown upon the plan referenced below;

Thence S. 48° 12' 08" W., 135.00 feet, by Tract 1, to another iron pin set at a corner;

Thence S. 18° 44' 30" E., 196.14 feet, by Tract 1, to another iron pin set at the southeasterly corner of Tract 2, the parcel herein being described, at land, formerly of Frank L. Wilder, William S. Walker & Johnathan Davis, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence S. 70° 30' 00" E., 318.94 feet, by land of the Commonwealth of Massachusetts, MDC, to a concrete Metropolitan Water Works bound found;

Thence S. 65° 45' 00" E., 185.27 feet, by land of the Commonwealth of Massachusetts, MDC, to another iron pin set at the southwesterly corner of Tract 2, also marking the southeasterly corner of Tract 3;

Thence N. 49° 31' 32" E., 514.05 feet, by the easterly line of Tract 3, to the first mentioned iron pin in the stone wall in the southwesterly line of Newell Hill Road, being the point and place of beginning.

Containing 125,018 square feet, or 2.870 acres, as shown as Tract 2 upon a plan entitled "Plan Of Land In Sterling, MA Surveyed For Sholan Realty, For Owner Of Record A.H. Suprenant, Jr.", dated January 29, 1992, prepared by Donald R. Para, R.P.L.S. New Braintree, MA, which plan is recorded with Worcester District Registry of Deeds as Plan 103 in Plan Book 656.

The aforementioned parcel is supposed to be owned by the following owner:

| <u>OWNER</u> | <u>RESTRICTION AREA TAKEN</u> |
|--|---------------------------------------|
| R. Gary Griffin, Trustee of Sawyer Road Realty Trust, | 125,018 square feet, or 2.87 acres |

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being a portion of the premises described in a deed from Bradley P. Wilson, Trustee of Sterling Nominee Trust to himself, as Trustee of Sawyer Road Realty Trust, dated January 14, 1993 and recorded with the Worcester District Registry of Deeds at Book 14890, Page 231.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises.
2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted.

3. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for development of any adjoining unrestricted land.
4. No septic systems or leach fields shall be permitted.
5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.
6. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, including but not limited to paint, fuel oils, lubricants, solvents, and asbestos, shall be permitted, including storage or use in the building located within the area of the conservation restriction.
7. No tillage.
8. No grazing or sheltering of livestock or animals shall be permitted.
9. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.
10. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.
11. The parcel subject to this conservation restriction includes an existing, decades old 20' x 50' foot outbuilding which shall be used only for storage and light maintenance purposes (ie. woodworking) and is further encumbered to strictly prohibit:
 - A. enlargement or conversion of the building beyond storage and work space;
 - B. the addition of any other utilities beyond the existing basic electric service;
 - C. commercial use of the building by the owner and/or the rental of the building to another for any revenue generating purpose;
 - D. storage or maintenance of motor vehicles or other internal combustion devices;

E. appreciable alteration or upgrade of the existing access way to this building , allowing only routine maintenance to keep current conditions.

11. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER

AWARD

R. Gary Griffin, Trustee of
Sawyer Road Realty Trust

\$ 67,500.00

The Commission further V O T E D: to approve an award of damages in the amount of \$67,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 5.0 acres of land owned by Warren O. and Margaret C. Thorell, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of \$82,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 5.0 acres of land owned by Warren O. and Margaret C. Thorell, located in the Town of Princeton, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 12, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the westerly side of Mirick Road, immediately north of a cable easement location, now or formerly, held by the American Telephone & Telegraph Company, more particularly bounded and described as follows:

Beginning at a point in the westerly line of Mirick Road at a stone wall and land, now or formerly, of Richard W. & Margaret W. Mirick, said point being at the northeasterly corner of the parcel herein being described;

Thence N. 85° 30" W., 3 rods and 22 links, or 64.02 feet, more or less, by the wall and land, now or formerly, of R.W. & M.W. Mirick, to a point in the wall;

- Thence S. 89° W., 16 rods and 13 links, or 272.58 feet, more or less, by the wall and land, now or formerly, of R.W. & M.W. Mirick, to a point at an angle in the wall;
- Thence S. 63° W., 1 rod and 7 links, or 21.12 feet, more or less, by the wall and land, now or formerly, of R.W. & M.W. Mirick, to a point in the wall;
- Thence S. 42° 30' W., 25.5 rods, or 420.75 feet, more or less, by the wall and land, now or formerly, of R.W. & M.W. Mirick, to a point in a corner of walls, at land formerly of R.W. & M.W. Mirick, now or formerly, of Sally C. LaPlant, and in the northerly line of the cable easement location referred to above;
- Thence Easterly, 40 rods, or 660 feet, more or less, by land, now or formerly, of S.C. LaPlant, and the northerly line of the cable easement location, to a point in the westerly line of Mirick Road;
- Thence Northerly, 27 rods and 7 links, or 450.12 feet, more or less, by the westerly line of Mirick Road, to the first mentioned point in the stone wall at land, now or formerly, of R.W. & M.W. Mirick, being the point and place of beginning.

Containing 5 acres, more or less, by prior deed description.

The aforementioned parcel is supposed to be owned by the following owners:

| <u>OWNERS</u> | <u>RESTRICTION AREA TAKEN</u> |
|--|-------------------------------|
| Warren O. Thorell and Margaret C. Thorell | 5.00 acres ± |

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Putnam King and Elizabeth M. King to Warren O. Thorell and Margaret C. Thorell, dated 18th October, 1960 and recorded with Worcester District Registry of Deeds at Book 4150, Page 239.

The above described land, herein restricted, is represented upon Princeton Assessors Tax Map 8 as Parcel 35.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises.
2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted, (except as necessary for that portion of the premises designated as the unrestricted area).
3. The use of the above described premises, or any portion thereof, herein and hereby restricted, shall not be used to satisfy zoning requirements for development of any adjoining unrestricted land.
4. No septic systems or leach fields shall be permitted.
5. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.
6. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

7. No tillage.

8. No grazing or sheltering of livestock or animals shall be permitted.

9. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

10. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

11. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS

AWARD

Warren O. Thorell and

\$ 82,000.00

Margaret C. Thorell

The Commission further V O T E D: to approve an award of damages in the amount of \$82,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 8.88 acres of land owned by John R. and Claire N. Vaghini, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of \$18,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 8.88 acres of land owned by John R. and Claire N. Vaghini, located in the Town of Sterling, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 12, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the westerly side of Rowley Hill Road, off of the southerly, southeasterly and easterly layout lines of Rolling Ridge Lane, more particularly bounded and described as follows:

Beginning at a point in the arc of a curve, forming the westerly line of the 1932 Worcester County layout of Rowley Hill Road, said curve having a radius of 575.00 feet, and said point, near an iron pipe found, being the northerly terminus of the frontage, upon Rowley Hill Road, of land, now or formerly, of James Mularczyk, shown as Lot 2 upon a plan entitled "Plan Of Land In Sterling MA Surveyed For Lussier Builders", dated October 31, 1989, revised December 6, 1989, prepared by Donald A. Para, R.L.S., and recorded with Worcester District Registry of Deeds as Plan Book 632, Plan 98;

- Thence Northwesternly and southwesterly, along the arc of a curve to the left, having a radius of 30.00 feet, an arc distance of 52.05 feet, said arc being subtended by a central angle of $99^{\circ} 24' 29''$, to a point of tangency, at an iron pipe found;
- Thence S. $68^{\circ} 04' 02''$ W., 281.36 feet, to a drill hole in a stone wall, marking the northwesterly corner of the aforesaid Lot 2;
- Thence S. $03^{\circ} 47' 40''$ W., 97.92 feet, by the stone wall and Lot 2, to a drill hole found at a point in the wall;
- Thence S. $02^{\circ} 23' 30''$ W., by the stone wall and Lot 2, to an iron pipe found in a corner of walls, at the southwesterly corner of Lot 2, and the northwesterly corner of land, now or formerly, of Mark Paskell, shown as Lot 1 upon a plan entitled "Plan Of Land In Sterling, MA Surveyed For John R. & Claire N. Vaghini", dated May 7, 1991, prepared by Donald A. Para, R.L.S., and recorded with said Deeds as Plan Book 653, Plan 48, the last four courses being by Lot 2, land, now or formerly, of J. Mularczyk;
- Thence S. $04^{\circ} 11' 12''$ E., 216.32 feet, exiting the wall and running to an iron pipe found at the southwesterly corner of Lot 1;
- Thence N. $69^{\circ} 37' 13''$ E., 70.00 feet, by the southerly line of Lot 1, to a point at the northwesterly corner of land, now or formerly, of Elaine McDonald, shown upon a plan entitled "Plan Of Land In Sterling Surveyed For John R. Vaghini By John C. O'Toole", dated July 1969 and recorded with said Deeds as Plan Book 331, Plan 70;
- Thence S. $00^{\circ} 30' 10''$ W., 189.94 feet, by the westerly line of land, now or formerly, of E. McDonald, to a point in a stone wall, at land, now or formerly, of Edward R. & Linda M. Tatten, shown upon a plan recorded with said Deeds as Plan Book 539, Plan 4;

- Thence S. 69° 37' 57" W., 99.90 feet, by the wall and land, now or formerly, of E.R. & L.M. Tatten, to a drill hole found in a corner of stone walls, at the northeasterly corner of land, now or formerly, of Bruce Murray, shown upon a plan recorded with said Deeds as Plan Book 632, Plan 5;
- Thence S. 69° 35' 04" W., 191.38 feet, by the wall and land, now or formerly, of B. Murray, to a drill hole found at a point in the wall;
- Thence S. 69° 07' 41" W., 151.11 feet, by the wall and land, now or formerly, of B. Murray, to a point in the wall at the southeasterly corner of Lot 8 of the Rolling Ridge Acres subdivision, shown upon a survey plan referenced at the conclusion of this description;
- Thence N. 09° 34' 15" W., 505.16 feet, by Lot 8, to a point at the southeasterly corner of Lot 9;
- Thence N. 09° 52' 45" E., 574.38 feet, by the easterly lines of Lots 9, 10 and 11, to a point in the southwesterly line of Lot 12;
- Thence S. 68° 05' 31" E., 294.21 feet, by the southwesterly line of Lot 12 to an iron pipe found at the northwesterly corner of land, now or formerly, of James Sr. & Margaret R. Porciello, shown as Lot 3 upon a plan entitled "Plan Of Land In Sterling, MA Surveyed For John R. & Claire N. Vaghini, dated May 7, 1991, prepared by Donald A. Para, R.L.S., and recorded with said Deeds as Plan Book 649, Plan 94, the last three courses being by Lots 9 through 12 of the Rolling Ridge Acres subdivision, other land, now or formerly, of John R. & Claire N. Vaghini;
- Thence S. 17° 22' 52" E., 136.34 feet, by the westerly line of Lot 3, to an iron pipe found at its southwesterly corner;
- Thence N. 68° 04' 02" E., 303.48 feet, by the southerly line of Lot 3, to an iron pipe found at a point of curvature;
- Thence Northeasterly and northwesterly, by the arc of a curve to the left, an arc distance of 35.42 feet, said arc being subtended by a central angle of 81° 10' 44", to a point of tangency, being a point in the first mentioned curve forming the westerly

line of Rowley Hill Road, said point, near an iron pipe found, marking the southerly terminus of the frontage upon said Road of Lot 3, land now or formerly, of J. Sr. & M.R. Porciello;

Thence Southeasterly, by the westerly layout line of Rowley Hill Road, along the arc of a curve to the right, having a radius of 575.00 feet, an arc distance of 107.64 feet, said arc being subtended by a central angle of 10° 43' 33", to a point of tangency, said point being the first mentioned point at land, now or formerly, of J. Mularczyk, being the point and place of beginning.

Containing 8.878 acres as shown upon a two sheet plan entitled "Definitive Subdivision Plan Rolling Ridge Acres Sterling, Massachusetts Prepared For John R. Vaghini", dated 25 July, 1995, revised 8 November 1995 and 30 November 1995, prepared by Berry Engineering, Inc. William L. Berry, Jr. P.L.S., which plan is recorded with Worcester District Registry of Deeds as Plan Book 700, Plan 123.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the remaining unsubdivided portion of the same premises described as the 2nd tract in a deed from Helen M. Baird to John R. Vaghini and Claire N. Vaghini, dated 9th November 1967 and recorded with Worcester District Registry of Deeds at Book 4806, Page 443.

The above described property is represented upon Sterling Assessors Tax Map 37 as a part of Parcel 1.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNERS</u> | <u>AWARD</u> |
|--|--------------|
| John R. Vaghini and Claire N. Vaghini | \$ 18,000.00 |

The Commission further V O T E D: to approve an award of damages in the amount of \$18,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 9:40 a.m., to meet on Thursday, August 19, 1999,
at 9:00 a.m.


S e c r e t a r y

Record of the Three Thousand Nine Hundred and Third (3903rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 19, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on August 5, 1999 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P99-2004-M2A, dated August 19, 1999, with R. Zoppo Corp., for Maintenance and Service of Hydraulic Systems at Various Flood Control Navigational Sites.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Gearhart and Brooks, August 6, requesting approval of the action of Deputy Commissioner Faucher resulting in a revision in quantities on Item No. 002-020 - Materials and Equipment - at a cost of \$6,440.00, on Contract No. P97-1916-M1A, with P. J. Kennedy & Sons, Inc., for Servicing of HVAC Systems at Various MDC Facilities.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 001-010 - Labor and 001-020 - Overtime Labor).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher, which resulted in a revision in quantities on Item No. 002-020, on Contract No. P97-1916-M1A.
The Commission further V O T E D: to approve the revision in quantities on Item No. 002-020, in the amount of \$6,440.00.
3. Report of Messrs. Faucher and Sacco, August 6, recommending approval of Amendment No. 4, for an extension of time from August 9, 1999 to December 31, 1999, as requested by GEI Consultants, Consultant, on Contract No. P98-1930-S1A, for Feasibility Study for Securing Public Safety at the Granite Rail Quarry, Quincy, due to the need to evaluate various alternatives for final disposition of the Quarry.
(At no additional Contract cost).
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher and DiRamio, August 9, recommending approval of an extension of time from August 20, 1999 to November 20, 1999, on Contract No. P98-1954-C2A, with R.A.D. Corporation, for Construction of New Playground at Caddy Park, Quincy Shore Drive, Quincy, as requested by the Contractor.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from August 20, 1999 to November 20, 1999, as recommended by Messrs. Faucher and DiRamio in their report of August 9, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1.

Report of Messrs. Faucher and Brooks, July 20, recommending the following on Contract No. P98-1964-M1A, with P. J. Kennedy & Sons, Inc., for Maintenance, Service and Repairs to HVAC Systems at Various Flood Control/Navigation Sites -

- (a) That work be accepted as completed as of June 30, 1999.
- (b) That Estimate No. 9 (Final), in the amount of \$3,276.65, be approved for payment.
- (c) That reserve, in the amount of \$2,615.17, be approved for payment.

(Basis of Award - \$52,680.00)

(Amount to Date - \$52,303.46)

(Contract Performance Rating - 71 with 100 being excellent)

(EEO Compliance - 1.00 with 5.00 being excellent)

The Commission V O T E D: that the work of P. J. Kennedy & Sons, Inc., Contractor under Contract No. P98-1964-M1A, be and hereby is accepted as completed as of June 30, 1999.

The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of \$3,276.65, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$2,615.17, for payment.

2.

Report of Messrs. Faucher and Brooks, July 20, recommending the following on Contract No. P98-1965-M1A, with The Entwistle Company, for Service to Hydraulic Power Systems at Various MDC Facilities -

- (a) That work be accepted as completed as of June 30, 1999.
- (b) That Estimate No. 9 (Final), in the amount of \$4,711.49, be approved for payment.
- (c) That reserve, in the amount of \$2,664.75, be approved for payment.

(Basis of Award - \$55,910.00)

(Amount to Date - \$53,294.93)

(Contract Performance Rating - 4.30)

(EEO Compliance - 2.00)

The Commission V O T E D: that the work of The Entwistle Company, Contractor under Contract No. P98-1965-M1A, be and hereby is accepted as completed as of June 30, 1999.

The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of \$4,711.49, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$2,664.75, for payment.

3.

Report of Messrs. Faucher and Brooks, July 20, recommending the following on Contract No. P98-1923-C3A, with ABC Contractors, Inc., for Relocation and Construction for the Backflow Preventer, Hull -

- (a) That work be accepted as completed as of May 31, 1999.
- (b) That Estimate No. 6 (Final), in the amount of \$23,701.33, be approved for payment.
- (c) That reserve, in the amount of \$5,505.31, be approved for payment.

(Basis of Award - \$110,379.52)

(Amount to Date - \$110,106.27)

(Contract Performance Rating - 90 with 100 being excellent)

(EEO Compliance - 1.17 with 5.00 being excellent)

The Commission V O T E D: that the work of ABC Contractors, Inc., Contractor under Contract No. P98-1923-C3A, be and hereby is accepted as completed as of May 31, 1999.

The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of \$23,701.33, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$5,505.31, for payment.

1. Report of Mr. Faucher and Mrs. Graves Jones, August 12, recommending the following on Contract No. P98-1958-C1A, with Coviello Electric & General Contracting Co., Inc., for Reconstruction of Traffic Signal System, VFW Parkway and Corey Street in West Roxbury -

(a) That work be accepted as completed as of May 19, 1999.

(b) That Estimate No. 7 (Final), in the amount of \$6,750.23, be approved for payment.

(c) That reserve, in the amount of \$15,617.94, be approved for payment.

(Basis of Award - \$345,343.00)

(Amount to Date - \$312,358.86)

(Contract Performance Rating - 3.33)

(EEO Compliance - 4.33)

The Commission V O T E D: that the work of Coviello Electric & General Contracting Co., Inc., be and hereby is accepted as completed as of May 19, 1999.

The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of \$6,750.23, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$15,617.94, for payment.

2. Report of Messrs. Faucher and Mayhew, July 7, recommending the following on Contract No. P99-1990-C1A, with B.S.A. Painting Co., Inc., for Waterblast and Painting Pools in Watertown, Roxbury and Cambridge -

(a) That work be accepted as completed as of June 14, 1999.

(b) That Estimate No. 1 (Final), in the amount of \$163,741.31, be approved for payment.

(c) That reserve, in the amount of \$8,616.54, be approved for payment.

(Basis of Award - \$152,750.00)

(Amount to Date - \$172,330.85)

(Contract Performance Rating - 5.00)

(EEO Compliance - 4.50)

The Commission V O T E D: that the work of B.S.A. Painting Co., Inc., Contractor under Contract No. P99-1990-C1A, be and hereby is accepted as completed as of June 14, 1999.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$163,741.31, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$8,616.54, for payment.

3. Report of Messrs. Faucher and Brooks, August 4, recommending that work be accepted as completed as of June 30, 1999, on Contract No. P99-1996-X1A-2, with D & F Plumbing & Heating Co., Inc., for MDC Backflow Preventer Work at Cass Pool, Martin L. King

Boulevard, Roxbury.

(Basis of Award - \$765.00)

(Amount to Date - \$765.00)

(Contract Performance Rating - 5.00)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of D & F Plumbing & Heating Co., Inc., Contractor under Contract No. P99-1996-X1A-2, be and hereby is accepted as completed as of June 30, 1999.

1. Report of Messrs. Faucher and Lenhardt, July 30, requesting approval of Alterations and Extra Work on Contract No. PL97-044-C1A, with WES Construction Corporation, for Pope John Paul II Park Development, Phase I, as follows -
Alteration No. 1 - Extending the capping system at a net increase in cost of \$63,479.00.
Extra Work Order No. 1 - Repair the retaining walls of the Davenport Creek Culvert an increase in cost of \$11,615.00.
Alteration No. 2 - Site preparation, demolition, sub-base preparation, hauling and placement of fill, at a credit of \$128,750.00.
Messrs. Faucher and Lenhardt further request approval of the expenditure of \$98,530.00 from the credit for the following listed work -

| | | |
|------------------------|---|-------------|
| Alteration No. 1 | - | \$63,479.00 |
| Extra Work Order No. 1 | - | \$11,615.00 |
| Transportation Costs | - | \$23,436.00 |
| Total Costs | - | \$98,530.00 |

The Commission V O T E D: to approve Alteration No. 1, in the amount of \$63,479.00.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of \$11,615.00.
The Commission further V O T E D: to approve Alteration No. 2, at a credit to the Commission, in the amount of \$128,750.00.
The Commission further V O T E D: to approve the expenditure, as requested by Messrs. Faucher and Lenhardt, of \$98,530.00 from the credit, for Alteration No. 1, in the amount of \$63,479.00, Extra Work Order No. 1, in the amount of \$11,615.00, and Transportation Costs, in the amount of \$23,436.00, for a total cost of \$98,530.00.
2. Report of Messrs. Faucher, Carrigan and Machado, August 11, requesting approval of Extra Work Claim No. 1, and payment of \$28,034.23, to D & R General Contracting, Inc./MDR Construction Company, Inc., for Emergency Repairs to the Neponset River Bridge, Boston/Quincy, on Contract No. P97-1920-C1A, for Resurfacing Various Parkways.
Funding from Account No. 2490-0017.
The Commission V O T E D: to approve Extra Work Claim No. 1, and payment of \$28,034.23, to D & R General Contracting, Inc./MDR Construction Company, Inc., for Emergency Repairs to the Neponset River Bridge, Boston/Quincy, on Contract No. P97-1920-C1A, for Resurfacing Various Parkways, as recommended by Messrs. Faucher, Carrigan and Machado, in their report of August 11, 1999.

1.

Report of Messrs. Faucher, Carrigan and Machado, August 9, requesting approval of Extra Work Claim No. 1, and payment of \$4,174.50, to D & R General Contracting, Inc./MDR Construction Company, Inc., for police services associated with emergency repair of Woods Memorial Bridge and installation of loop detectors and associated police services at the Fellsway/Medford Street Intersection, on Contract No. P96-1863-C1A, for Resurfacing Various Parkways.

Funding from Account No. 2490-0017.

The Commission V O T E D: to approve Extra Work Claim No. 1, and payment of \$4,174.50, to D & R General Contracting, Inc./MDR Construction Company, Inc., for police services associated with emergency repair of Woods Memorial Bridge and installation of loop detectors and associated police services at the Fellsway/Medford Street Intersection, on Contract No. P96-1863-C1A, for Resurfacing Various Parkways, as requested by Messrs. Faucher, Carrigan and Machado, in their report of August 9, 1999.

2.

Report of Messrs Faucher and Mayhew. July 28, recommending the following on Contract No. P99-1973-C1A with Titan Roofing, Inc., to Replace the Roof at the Hall Pool Bathhouse, Stoneham -

(a) That work be accepted as completed as of June 30, 1999.

(b) That Estimate No.1 (Final), in the amount of \$159,125.00 be approved for payment.

(c) That reserve, in the amount of \$8,375.00, be approved for payment.

(Basis of Award) - \$162,000.00)

(Amount to Date) - \$167,500.00)

(Contract Performance Rating - 86 with 100 being excellent)

(EEO Compliance - 4.83)

The Commission V O T E D: that the work of Titan Roofing, Inc., Contractor under Contract No. P99-1973-C1A, be and hereby is accepted as completed as of June 30, 1999.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$159,125.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$8,375.00, for payment.

3.

Report of Messrs. Faucher and Mrs. Pomorska, August 4, recommending approval of a revision in quantities on Item No. 020-010 - Traffic Control Services - at a cost of \$5,000.00, on Contract No. P98-1926-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts.

(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 007-010 - Pedestrian Signal Head-Type B and 007-020 - Pedestrian Signal Head-Signal Section).

The Commission V O T E D: Approved.

4.

Report of Messrs. Faucher and Brooks, July 21, recommending the following on Contract No. P98-1966-M2A, with Inner Space Services, Inc., for Service to Underwater Structure System at Various Flood Control/Navigational Sites -

- (a) That work be accepted as completed as of June 30, 1999.
- (b) That Estimate No. 6 (final) in the amount of \$23,750.61, be approved for payment.
- (c) That reserve in the amount of \$3,562.06, be approved for payment.

(Basis of Award - \$87,750.00)

(Amount to Date - \$71,241.14)

(Contract Performance Rating - 3.20)

(EEO Compliance - 3.40)

The Commission V O T E D: that the work of Inner Space Services, Inc., Contractor under Contract No. P98-1966-M2A, be and hereby is accepted as completed as of June 30, 1999.

The Commission further V O T E D: to approve Estimate No. 6 (final) in the amount of \$23,750.61, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$3,562.06, for payment.

1. Report of Messrs. Faucher and Machado, August 12, recommending approval of the request of D & R. General Contracting Inc./MDR Construction Company, Inc., on Contract No. P97-1918-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Locations Throughout the Metropolitan Area, to engage the services of Superior SealCoat, Inc., as sub-contractor for -

Extra Work Order No. 2 \$ 6,592.00

Color coat latex, Magazine Beach Pool.

Extra Work Order No. 3 \$ 7,905.00

Seal Cracks in bituminous concrete sidewalks.

Total - \$14,497.00

(At no increase in Contract cost).

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Machado, in their report of August 12, 1999.

2. Report of Messrs. Faucher and Machado, August 9, requesting that the Commission amend its vote of May 20, 1999, on Contract No. P97-1918-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Locations Throughout the Metropolitan Area, by deleting the revision in quantity of 17.2 cubic yards on Item No. 016-010 - cement concrete in front of Edgestone - in the amount of \$1,376.00, and substituting Item No. 017-010 - cement concrete in front and back of edgestone - in the amount of \$1,376.00, for a quantity of 17.2 cubic yards, due to an administrative error.

The Commission V O T E D: to amend its vote of May 20, on Contract No. P97-1918-C1A, with D & R General Contracting, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Locations Throughout the Metropolitan Area, by deleting the revision in quantity of 17.2 cubic yards on Item No. 016-010 - cement concrete in front of Edgestone - in the amount of \$1,376.00, and substituting Item No. 017-010 - cement concrete in front and back of edgestone - in the amount of \$1,376.00, for a quantity of 17.2 cubic yards.

1. Report of Messrs. Faucher and Machado, August 13, recommending the following on Contract No. P97-1918-C1A, with D & R General Contracting/MDR Construction Co., Inc., Repairing/Replacing Bituminous & Cement Concrete Sidewalks and Curbing at Various Locations -
 - (a) That work be accepted as completed as of June 30, 1999.
 - (b) That Estimate No. 7 (final) in the amount of \$74,762.02, be approved for payment.
 - (c) That reserve, in the amount of \$15,426.18, be approved for payment.
 - (Basis of Award - \$715,743.64)
 - (Amount to Date - \$854,928.46)
 - (Contract Performance Rating - 4.33)
 - (EEO Compliance - 4.67)

The Commission V O T E D: that the work of D & R General Contracting/MDR Construction Co., Inc., Contractor under Contract No. P97-1918-C1A, be and hereby is accepted as completed as of June 30, 1999.

The Commission further V O T E D: to approve Estimate No. 7 (final) in the amount of \$74,762.02, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$15,426.18, for payment.
2. Report of Mrs. Overton Bussell and Mr. Traficante, August 13, requesting approval of Amendment No. 1 - for the renewal of the Contract for the first year of a two-year option to renew Contract No. P98-1967-X1A, with Health Resources Corporation, for Employee Medical Surveillance Program, which extends the Contract to June 30, 2000 and adds \$10,000.00 to the Contract and increases its value to \$20,000.00.
(Account No. 2440-0010).
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher and Sacco, June 22, recommending the following on Contract No. P97-1893-M1A, with RMH Electric Co., Inc., for Maintenance of Mechanical/Electrical Systems of General Edwards Bridge, Revere/Lynn -
 - (a) That work be accepted as completed as of April 30, 1999.
 - (b) That Estimate No. 9 (Final), in the amount of \$4,476.88, be approved for payment.
 - (c) That reserve, in the amount of \$803.95, be approved for payment.
 - (Basis of Award - \$41,250.00)
 - (Amount to Date - \$38,483.00)
 - (Contract Performance Rating - 5.00)
 - (EEO Compliance - N/A)

The Commission V O T E D: that the work of RMH Electric Co., Inc., Contractor under Contract No. P97-1893-M1A, be and hereby is accepted as completed as of April 30, 1999.

The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of \$4,476.88, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$803.95, for payment.
4. Report of Messrs. Faucher and Sacco, June 22, recommending the

following on Contract No. P98-1971-C1A, with RMH Electric Co., Inc., for Installation of Semaphore Gates, Craigie Drawbridge, Boston -

- (a) That work be accepted as completed as of January 31, 1999.
- (b) That Estimate No. 3 (Final), in the amount of \$2,907.00, be approved for payment.
- (c) That reserve, in the amount of \$2,372.91, be approved for payment.
 - (Basis of Award - \$45,500.00)
 - (Amount to Date - \$47,458.24)
 - (Contract Performance Rating - 5.00)
 - (EEO Compliance - N/A)

The Commission V O T E D: that the work of RMH Electric Co., Inc., Contractor under Contract No. P98-1971-C1A, be and hereby is accepted as completed as of January 31, 1999.

The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of \$2,907.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$2,372.91, for payment.

1. Report of Messrs. Faucher and Kane, August 12, recommending the following on Contract No. P97-1913-C1A, with Langton and Douglas Contracting Co., Inc., for Historic Stables Renovation, Charles River Basin at the O'Brien Highway and Land Boulevard, Cambridge -
 - (a) That work be accepted as completed as of January 30, 1999.
 - (b) That Estimate No. 6 (Final), in the amount of \$10,707.27, be approved for payment.
 - (c) That reserve, in the amount of \$11,935.06, be approved for payment.
 - (Basis of Award - \$194,176.90)
 - (Amount to Date - \$238,701.15)
 - (Contract Performance Rating - 67 with 100 being excellent)
 - (EEO Compliance - 4.00)

The Commission V O T E D: that the work of Langton and Douglas Contracting Co., Inc., Contractor under Contract No. P97-1913-C1A, be and hereby is accepted as completed as of January 30, 1999.

The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of \$10,707.27, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$11,935.06, for payment.

2. Report of Messrs. Faucher and Kirwin, August 13, recommending the following on Contract No. P92-1626-D1A, with Bruce Campbell & Associates, for Professional Traffic Engineering Services -
 - (a) That work be accepted as completed as of December 31, 1998.
 - (b) That retainage, in the amount of \$20,000.00, be approved for payment.
 - (Basis of Award - \$250,000.00)
 - (Amount to Date - \$349,983.08)
 - (Contract Performance Rating - 7 with 10 being excellent)
 - (EEO Compliance - N/A)

The Commission V O T E D: that the work of Bruce Campbell &

Associates, Contractor under Contract No. P92-1626-D1A, be and hereby is accepted as completed as of December 31, 1998. The Commission further V O T E D: to approve release of retainage, in the amount of \$20,000.00, for payment.

1. Report of Messrs. Faucher and Griffin and Mrs. O'Brien, August 12, requesting approval of an extension of time for administrative purposes only, from August 31, 1999 to December 31, 1999, on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park.
(The extension of time is requested under provisions of Article XXII, at no increase in Contract cost. The extension will in no way affect the liquidated damages provisions of Article XXI, and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract).
The Commission V O T E D: to approve an extension of time, for administrative purposes only, under the provisions of Article XXII, from August 31, 1999 to December 31, 1999, as requested by Messrs. Faucher and Griffin and Mrs. O'Brien, in their report of August 12, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages in Article XXI, that may be due to the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

2. Report of Messrs. Faucher and Machado, August 11, recommending approval of the request of D & R General Contracting, Inc./MDR Construction Company, Inc., Contractor on Contract No. P97-1920-C1A, for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District, to engage the services of the following sub-contractors -

| <u>Bell Traffic Signal</u> | |
|--|---------------------|
| Item No. 020-010 | <u>\$ 20,000.00</u> |
| Traffic Signal Detector Loops | |
| <u>Bardon Trimount</u> | |
| Item No. 002-010 | <u>\$332,500.00</u> |
| 0" - 4" Cold Planing | |
| <u>Hi-Way Safety Systems</u> | |
| Item No. 016-010 | \$ 46,110.00 |
| 4" Reflectorized Markings (Thermo) | |
| Item No. 017-010 | \$ 1,925.00 |
| 8" Reflectorized Markings (Thermo) | |
| Item No. 018-010 | \$ 12,600.00 |
| 8" Reflectorized Markings (Thermo) | |
| Item No. 019-010 | \$ 3,250.00 |
| Reflectorized Symbols & Legends (Thermo) | |
| Item No. 022-010 | \$ 2,800.00 |
| Temporary Pavement Markings 4" Paint | |
| Item No. 041-010 | \$ 600.00 |
| Pavement Markings Removal (Paint) | |
| Item No. 042-010 | \$ 625.00 |
| Pavement Markings Removal (Thermo) | |

Item No. 046-010 \$ 1,250.00
Symbol and Legends - Gore Lines (Painted) \$ 69,160.00

(At no increase in Contract cost).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Haider, August 12, recommending the following on Contract No. P98-1959-M1A, with R. Mullen & Associates, for Repair to Tivoli Comfort Station and Bernie King Pavilion, Nantasket Beach, Hull -
 - (a) That work be accepted as completed as of June 20, 1999.
 - (b) That Estimate No. 1 (Final), in the amount of \$18,962.00, be approved for payment.
 - (c) That reserve, in the amount of \$998.00, be approved for payment.
 - (Basis of Award - \$19,960.00)
 - (Amount to Date - \$19,960.00)
 - (Contract Performance Rating - 4.00)
 - (EEO Compliance - N/A)

The Commission V O T E D: that the work of R. Mullen & Associates, Contractor under Contract No. P98-1959-M1A, be and hereby is accepted as completed as of June 20, 1999.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of \$18,962.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$998.00, for payment.
2. Report of Messrs. Faucher, Carrigan and Machado, August 13, recommending the following on Contract No. P97-1920-C1A, with D & R General Contracting, Inc./MDR Construction, Co., Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan Area -
 - (a) That work be accepted as completed as of June 30, 1999.
 - (b) That Estimate No. 9 (Final), in the amount of \$18,168.57, be approved for payment.
 - (c) That reserve, in the amount of \$34,640.38, be approved for payment.
 - (Basis of Award - \$1,797,887.34)
 - (Amount to Date - \$1,909,744.61)
 - (Contract Performance Rating - 3.00)
 - (EEO Compliance - 4.33)

The Commission V O T E D: that the work of D & R General Contracting, Inc./MDR Construction, Co., Inc., Contractor under Contract No. P97-1920-C1A, be and hereby is accepted as completed as of June 30, 1999.
The Commission further V O T E D: to approve Estimate No. 9 (Final), in the amount of \$18,168.57, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$34,640.38, for payment.
3. Report of Messrs. Faucher and Mayhew, July 10, recommending the following on Contract No. P98-1952-C2A, with D & R General Contracting, Inc./MDR Construction, Co., Inc., to Furnish and Install Three Steel In-Line Dasher Board Systems for Outdoor Rollerblading -

- (a) That work be accepted as completed as of May 30, 1999.
- (b) That Estimate No. 5 (Final), in the amount of \$12,550.62, be approved for payment.
- (c) That reserve, in the amount of \$18,321.53, be approved for payment.

(Basis of Award - \$245,220.00)

(Amount to Date - \$366,430.66)

(Contract Performance Rating - 4.00)

(EEO Compliance - 4.60)

The Commission V O T E D: that the work of D & R General Contracting, Inc./MDR Construction, Co., Inc., Contractor under Contract No. P98-1952-C2A, be and hereby is accepted as completed as of July 10, 1999.

The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$12,550.62, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$18,321.53, for payment.

1. Report of Messrs. Faucher and Diramio, July 15, recommending the following on Contract No. P98-1954-C1A, with RAD Corp., for Construction of a New Playground at Nantasket Beach, Hull -

- (a) That work be accepted as completed as of June 23, 1999.
- (b) That Estimate No. 4 (Final), in the amount of \$11,909.20, be approved for payment.
- (c) That reserve, in the amount of \$4,963.50, be approved for payment.

(Basis of Award - \$96,870.00)

(Amount to Date - \$99,270.00)

(Contract Performance Rating - 4.00)

(EEO Compliance - 4.50)

The Commission V O T E D: that the work of RAD Corp., Contractor under Contract No. P98-1954-C1A, be and hereby is accepted as completed as of June 23, 1999.

The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of \$11,909.20, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$4,963.50, for payment.

2. Report of Messrs. Faucher and Jackson, March 12, recommending the following on Contract No. P97-1870-C6A, with D & R General Contracting, Inc./MDR Construction Co., Inc., for Reconstruction of Houghton's Pond Playground, North Entrance, Milton, MA -

- (a) That work be accepted as completed as of July 19, 1998.
- (b) That Estimate No. 5 (Final), in the amount of \$855.00, be approved for payment.
- (c) That reserve, in the amount of \$8,825.00, be approved for payment.

(Basis of Award - \$176,500.00)

(Amount to Date - \$176,500.00)

(Contract Performance Rating - 3.60)

(EEO Compliance - 4.00)

The Commission V O T E D: that the work of D & R General Contracting, Inc./MDR Construction Co., Inc., Contractor under Contract No. P97-1870-C6A, be and hereby is accepted as completed

as of July 19, 1998.

The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$855.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$8,825.00, for payment.

1. Report of Messrs. Faucher, Brooks and Balicki, August 2, recommending that the work of C. W. Davis Supply Co., Inc., Contractor under Contract No. P99-1972-X1A, for Furnishing and Installation of Outdoor Ice Skating Rink Equipment, Peter J. Kelly Ice Rink, Jamaica Plain, be accepted as completed as of February 10, 1999.

(Basis of Award - \$274,800.00)

(Amount to Date - \$274,800.00)

(Contract Performance Rating - 4.50)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of C. W. Davis Supply Co., Inc., Contractor under Contract No. P99-1972-X1A, for Furnishing and Installation of Outdoor Ice Skating Rink Equipment, Peter J. Kelly Ice Rink, Jamaica Plain, be accepted as completed as of February 10, 1999.

2. Report of Messrs. Faucher, Brooks and Balicki, August 2, recommending that the work of Williams Scotsman, Contractor under Contract No. P99-1972-X2A, for Furnishing and Installation of Temporary Structures for Peter J. Kelly Ice Skating Rink, Jamaica Plain, be accepted as completed as of March 9, 1999.

(Basis of Award - \$89,800.00)

(Amount to Date - \$89,800.00)

(Contract Performance Rating - 3.50)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of Williams Scotsman, Contractor under Contract No. P99-1972-X2A, for Furnishing and Installation of Temporary Structures for Peter J. Kelly Ice Skating Rink, Jamaica Plain, be accepted as completed as of March 9, 1999.

3. Report of Messrs. Faucher and Brooks, August 17, recommending that work be accepted as completed as of June 30, 1999 on Contract No. P99-1996-X1A and X1A3, X1A4, X1A5, X1A6, X1A7, X1A8, X1A9, X1A10, X1A11, X1A12, X1A13, and X1A14, with P. J. Kennedy & Sons, Inc., for MDC Back Flow Preventer Work at Various Locations (Contract Service Agreements).

(Basis of Award - \$21,320.00)

(Amount to Date - \$21,320.00)

(Contract Performance Rating - 4.00)

(EEO Compliance - N/A)

The Commission V O T E D: that work be accepted as completed as of June 30, 1999 on Contract No. P99-1996-X1A and X1A3, X1A4, X1A5, X1A6, X1A7, X1A8, X1A9, X1A10, X1A11, X1A12, X1A13, and X1A14, with P. J. Kennedy & Sons, Inc., for MDC Back Flow Preventer Work at Various Locations (Contract Service Agreements), as recommended by Messrs. Faucher and Brooks, in their report of August 17, 1999.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, August 11, on proposals for Boat Cove Docking Facility, Wachusett Reservoir, Clinton, Contract No. WM95-085-C1A.
(Messrs. McGinn and Kane recommend acceptance of the lowest bid received, that of WES Construction Corporation, of \$475,250.00). They further request execution of the Contract.
The Commission V O T E D: to accept the lowest bid received, that of WES Construction Corporation, of \$475,250.00.
The Secretary then submitted for signature Contract No. WM95-085-C1A, dated August 19, 1999, with WES Construction Corporation, which was signed by the Commissioner and four Associate Commissioners.
2. Report of Messrs. McGinn and Baratta, July 29, requesting approval of Amendment No. 3, to Contract No. WM97-061-D3A, with Camp Dresser & McKee, Inc., for Construction Inspection and Administrative Services on the Main Street Sewer Construction Project, Town of Holden, which increases the scope of services and level of effort in the sum of \$54,302.00.
(Account No. 2420-7961).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, August 16, on behalf of the Consultant Selection Committee, requesting approval and authorization to prepare for execution, Contract No. EM99-015-S1A, with Applied Science Associates, Inc., for Hydrodynamic Modeling of Wachusett Reservoir.
Time for Performance - eighteen months, with two Commission options to extend the contract for six months of each option.
Estimated Cost - \$250,000.00.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Mr. Jewett to prepare for execution, Contract No. EM99-015-S1A, with Applied Science Associates, Inc., for Hydrodynamic Modeling of Wachusett Reservoir.
4. Report of Mrs. Davidge, July 14, recommending the following on Contract No. PL98-053-X1A, with Santa Theresa Tile Works, for Tile Art Work, Revere Landing Park -
 - (a) That work be accepted as completed as of June 25, 1999.
 - (b) That Final Payment, in the amount of \$8,000.00, be approved for payment.
 - (c) That reserve, in the amount of \$8,000.00, be approved for payment.
 - (Basis of Award - \$80,000.00)
 - (Amount to Date - \$88,000.00)

(Contract Performance Rating - 7 with 10 being excellent)

(EEO Compliance - N/A)

The Commission V O T E D: that the work of Santa Theresa Tile

THE [illegible] OF [illegible]

[illegible]

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[illegible]

Works, Contractor under Contract No. PL98-053-X1A, be and hereby is accepted as completed as of June 25, 1999.

The Commission further V O T E D: to approve Final Payment, in the amount of \$8,000.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$8,000.00, for payment.

Action was taken upon the following matters relating to the Office of General Counsel:

1. Report of Mr. Gray, August 16, recommending that the Commission adopt an Order of Taking for acquisition of approximately 6.78 acres of land owned by Stephen S. and Marcia L. Hughes, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of \$264,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 6.78 acres of land owned by Stephen S. and Marcia L. Hughes, located in the Town of West Boylston, Massachusetts.
The Commission further V O T E D: to approve an award of damages in the amount of \$264,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 19, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northerly side of Pierce Street, near its intersection with Temple Street-Route 140, more particularly bounded and described as follows:

Beginning at a point in the northerly line of Pierce Street, at the easternmost corner of the parcel herein being described and at other land, now or formerly, of Stephen S. & Marcia L. Hughes, said point being located S. 38° 13' 51" W., 210.41 feet from a point at the northwesterly corner of the intersection of Temple and Pierce Streets;

Thence S. 38° 13' 51' W., 358.41 feet, by the northerly line of Pierce Street, to a point at an angle in the street;

Thence N. 87° 31' 09" W., 528.00 feet, by the northerly line of the street, to an iron pipe found at another turn in the line of the street;

Thence N. 66° 31' 09" W., 46.18 feet, by the street line, to point at a corner and land, now or formerly, of the New England Power Construction Company;

Thence N. 22° 02' 51" W., 380.67 feet, by land, now or formerly, of N.E.P.Construction Co., to a point at land formerly of Albert J. & Georgia M. Anthony, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence N. 45° 00' 45" E., 56.77 feet, by land of the Commonwealth of Massachusetts, MDC to a point at the northwesterly corner of land, now or formerly of William J. & Helen R. Savage;

Thence S. 44° 59' 15" E., 290.10 feet, partially by land, now or formerly, of W.J.& H.R. Savage, and partially by land, now or formerly, of Edward F. Foster, to an iron pipe found at a corner;

Thence N. 45° 19' 13" E., 374.93 feet, by land, now or formerly, of E.F. Foster, to an iron post at a corner;

Thence N. 44° 59' 15" W., 11.50 feet, still by land, now or formerly, of E.F. Foster, to a point at the southwesterly corner of Oak Avenue, a private way;

Thence N. 45° 00' 45" E., 84.49 feet, partially by the southerly terminus of Oak Avenue, and partially by land, now or formerly, of James E. Law & Elaine M. Bachand, to a point at a corner, and other land, now or formerly, of Stephen S. & Marcia L. Hughes;

Thence S. 53° 03' 45" E., 464.27 feet, by other land, now or formerly of Stephen S. & Marcia L. Hughes, to the first mentioned point on the northerly line of Pierce Street, being the point and place of beginning.

Containing 6.78 acres, more or less, as shown as Lots 3,4,5 and 6 upon a survey plan entitled "Plan Of Land In West Boylston, Mass. Prepared For Stephen S. & Marcia L. Hughes", dated May 1997, prepared by David E. Ross Associates, Inc., David Edward Ross, P.L.S., and recorded with Worcester District Registry of Deeds as Plan 4 in Plan Book 718.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Pierce Street which may be held by the supposed owners, as a result of their ownership of the above described property, and being the southwesterly portion of the same premises described in a deed from Marcia L.(Wuerth) Hughes to Stephen S. Hughes and Marcia L. Hughes, dated 7th January, 1991 and recorded with Worcester District Registry of Deeds at Book 13190, Page 301.

The above described property is represented upon West Boylston Assessors Tax Map 160 as the southwesterly portion of Parcel 5.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNERS</u> | <u>AWARD</u> |
|---|---------------|
| Stephen S. Hughes and Marcia L. Hughes | \$ 264,000.00 |

1. . . Report of Mr. Gray, August 16, recommending that the Commission adopt an Order of Taking for acquisition of approximately 102.12 acres of land owned by Joseph A. and Theresa R. Giobellina, et al, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of \$645,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 102.12 acres of land owned by Joseph A. and Theresa R. Giobellina, et al, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 19, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

Three certain contiguous parcels of land, described below as a single parcel, lying on the westerly side of Fairbanks Street, and the easterly side of Sterling Place, more particularly bounded and described as follows:

Beginning at a Land Court bound at the northeasterly corner of the premises herein being described, at a point in the westerly line of Fairbanks Street, and at the southeasterly corner of land, located at # 147 Fairbanks Street, formerly of the Town of West Boylston, now or formerly, of John S. & Phyllis A. Wilson, being a portion of the larger lot shown upon Land Court Plan 16881A, as filed with Certificate of Title No. 2453;

Thence Southeasterly, a distance supposed to be 725 feet, more or less, by prior deed description, but shown as two courses totalling 698.28 feet, upon the

above cited Land Court Plan, being the southerly line of land, now or formerly, of J.S. & P.A. Wilson;

- Thence Northerly, 651.71 feet, partially by the rear line of land, now or formerly, of J.S. & P.A. Wilson, partially by the rear line of land, located at # 155 Fairbanks Street, now or formerly, of William J. & Nancy G. Mc Carthy, and partially by the rear line of land, formerly of E. Leo & Mary A. Attella, now of the Commonwealth of Massachusetts, Metroploitan District Commission (see taking dated 07/09/98 registered on 08/06/98 as Land Court Document No. 67868 with the Land Registration Office of the Land Court at the Worcester District Registry of Deeds in Registration Bk 39 with Land Court Certificate of Title No. 7653, see also Land Court Plan 16881B), all as shown upon the above cited plan, to a point at the northernmost corner of the premises herein being described, at a point in the southeasterly line of land, now or formerly, of Carl R. & Muriel B. Swenson (see deed recorded with W.D.R.D. at Bk 3952, Pg 422);
- Thence S. 63° 13' W. 387.32 feet, more or less, by the line of land, now or formerly, of C.R. & M.B. Swenson, to the remains of a stake and stones near the end of the wall, at an angle in the easterly line of land, now or formerly, of Stillwater Meadows, Inc.(see deed recorded with W.D.R.D. at Bk 13174, Pg 315);
- Thence S. 18° 55' E. 148.54 feet, more or less, by the last named abutter, to the remains of a stake and stones, in the meadow land, at a corner;
- Thence S. 49° 28' W. 114.75 feet, more or less, by the last named abutter, to the remains of a stake and stones on a ledge, at an angle;
- Thence N. 85° 37' W., 865.34 feet, more or less, by the southwesterly line of land, now or formerly, of Stilwater Meadows, Inc., to a point at land, now or formerly, of Baldarelli Brothers, Inc. (see deeds recorded with W.D.R.D. at Bk 4720, Pg 595 Tracts 1,2,4 & 5, Bk 4999, Pg 117 Tracts 1 & 2, Bk 5272, Pg 575 Tract 1, and Bk 5444, Pg 11 Tracts 1 & 2);

Thence S. 01° 49' W. 189.75 feet, more or less, to a point at an angle;

Thence N. 51° 11' W., 57.4 feet, more or less, to a point at another angle;

Thence S. 04° 06' E., 660 feet, more or less, to a point;

Thence S. 02° 12' W., 269.45 feet, more or less, to a point at another angle;

Thence S. 67° 32' E., 99.30 feet, to a point;

Thence S. 02° 46' W., 298 feet, more or less, to a point, the last six courses being by land, now or formerly, of Baldarelli Brothers, Inc.;

Thence S. 39° 20' W., 341 feet, more or less, partially by land, now or formerly, of Baldarelli Brothers, Inc., partially by the rear and southeasterly line of land, located at # 68 Sterling Place, now or formerly, of Nils W. & Theresa L. Robertson (see deed recorded with W.D.R.D. at Bk 7498, Pg 3), and partially by the rear and southeasterly line of land, located at # 64 Sterling Place, now or formerly, of Stephen J. & Marilyn White (see deed recorded with W.D.R.D. at Bk 12383, Pg 12), to a point at the southeasterly corner of the last named abutter;

Thence S. 72° 56' W., 262.5 feet, more or less, to a point at the northeasterly and rear corner of land, on Sterling Place, now or formerly, of Stephen J. & Marilyn White;

Thence S. 19° 48' W., 180 feet, more or less, by the rear line of land, now or formerly, of S.J. & M. White, to a point at the southeasterly corner of said abutting land;

Thence Westerly, 130 feet, more or less, by the southeasterly line of land, now or formerly, of S.J. & M. White, to a point at the southwesterly corner of said abutting land, said corner lying in the easterly line of Sterling Place;

- Thence S. 19° 48' W., 105.56 feet, more or less, by the easterly line of Sterling Place, to a point at the northwesterly corner of land, located at # 48 Sterling Place, now or formerly, of Dorothy M. Rotti (see deed recorded with W.D.R.D. at Bk 3836, Page 4751);
- Thence S. 55° 54' E., 581.5 feet, more or less, partially by the northeasterly line of land, now or formerly, of D.M. Rotti, partially by the northeasterly line of land, located at # 24 Sterling Place, now or formerly, of Thomas A. & Susan E. Morris (see deed recorded with W.D.R.D. at Bk 5142, Pg 143), and continuing across a brook and running partially by the northeasterly line of land, located at # 147 Lancaster Street, now or formerly, of Alexander & Rosalie Fallavollita (see deed recorded with W.D.R.D. at Bk 6749, Pg 344), to a point;
- Thence S. 62° 02' E., 332.5 feet, more or less, by land, now or formerly, of A. & R. Fallavollita, to a point at an angle and the remains of a stake and stones;
- Thence N. 83° 11' E., 341.02 feet, more or less, by land, now or formerly, of A. & R. Fallavollita, to a point at an angle where an oak tree stands, or stood, said point being at the northwesterly corner of land, fronting on Fairbanks Street, formerly of James H. Moore, now or formerly, of Mary I. Pusateri and Rita C. Degreenia (see deed recorded with W.D.R.D. at Bk 11760, Pg 244);
- Thence N. 73° 26' E., 556.8 feet, more or less, by land, now or formerly, of M.I. Pusateri & R.C. Degreenia, to a point;
- Thence N. 69° 15' E., 12 rods and 12 links, or 205.92 feet, more or less, to a point at an angle;
- Thence N. 33° 30' E., 33 rods, or 544.5 feet, more or less, to a point at another angle in the line;
- Thence N. 76° 15' E., 21 rods and 10 links, or 353.1 feet, more or less, to a point in the westerly line of Fairbanks Street, the last three courses being by lans, now or formerly, of M.I. Pusateri & R.C. Degreenia;

Thence Northwesterly and northeasterly, about 1473 feet, more or less, by the westerly line of Fairbanks Street, to the first mentioned point at the Land Court bound, being the point and place of beginning.

Containing 99 acres, more or less, by estimation.

There is no known, recorded or unrecorded, plan of the above described premises. The description set forth above is derived from prior deed descriptions, of the premises herein taken, and of abutting parcels, and from town tax records of current abutting owners.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Fairbanks Street and/or Sterling Place, which may be held by the supposed owners as a result of their ownership of the above described premises, and being all of the lands held by the supposed owners lying westerly of Fairbanks Street and easterly of Sterling Place, and being, all or a portion of, the same premises described in three deeds: the first land being all of the land conveyed in a deed from the Town of West Boylston to Joseph Anthony Giobellina, Fortunato Giobellina, and Ermengildo Giobellina, dated July 20, 1939 and recorded with Worcester District Registry of Deeds at Book 2750, Page 170; the second land being all of the land conveyed in a deed from the Town of West Boylston to Joseph Grobellina (sic), Anthony Grobelina (sic), Fortunato Grobellina (sic), and Ermengildo Grobellina (sic), dated 17th April 1947 and recorded with said Deeds at Book 3048, Page 346; and the third land being the westerly portion of the first parcel in a deed from Theresa R. Giobellina to Joseph A. Giobellina and Theresa R. Giobellina, dated 11th October 1980, and recorded with said Deeds at Book 7084, Page 66.

The above described property is represented upon West Boylston Assessors Tax Map 115 as Parcels 3, 4 and 5.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

| <u>OWNERS</u> | <u>AWARD</u> |
|--|---------------|
| Joseph A. Giobellina and Theresa R. Giobellina, <i>et al.</i> | \$ 645,000.00 |

The Commission further V O T E D: to approve an award of damages in the amount of \$645,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 16, recommending that the Commission adopt an Order of Taking for acquisition of approximately 95.25 acres of land owned by Albert J. and Josephine M. Calcia, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of \$550,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 95.25 acres of land owned by Albert J. and Josephine M. Calcia, located in the Town of Princeton, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 19, 1999.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 88 of the Acts of 1997 and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain adjoining tracts or parcels of land lying in the easterly part of the said Town of Princeton, northerly of Sterling Road-Route 62, easterly of Bullard Road, and southerly of Hubbard Road, the larger and more southerly parcel, herein designated Tract 1, is the greater part of the farm formerly known as the "Almshouse Estate", having served as the Princeton Poor Farm, and is partially bounded by the centerline of a brook known as East Wachusett Brook, more particularly bounded and described as follows:

Tract 1

Beginning at a point in a stone wall, at land formerly of Ebenezer Parker, Jr., now of uncertain ownership, said point marking the southernmost corner of Lot 1, other land, now or formerly, of Albert J. & Josephine M. Calcia, excluded from the provisions of this instrument of taking, and shown upon

an engineered survey plan referenced at the conclusion of this description, the point of beginning being located S. $56^{\circ} 16' 18''$ E, 120.10 feet from the northwesterly terminus of the wall, which terminus point is located S. $73^{\circ} 45' 00''$ E., 141.63 feet from a point in the easterly line of Town Farm Road, which point is the southwesterly corner of Lot 1;

Thence N. $46^{\circ} 46' 10''$ E., 256.64 feet, by the southeasterly line of the excluded Lot 1, to a point at its easternmost corner;

Thence N. $16^{\circ} 57' 14''$ W., 1022.06 feet, by the easterly line of the excluded Lot 1, to a point at an angle;

Thence N. $48^{\circ} 42' 01''$ W., 620.00 feet, by the northeasterly line of the excluded Lot 1, to a pile of stones found at an angle in the westerly line of the "Almshouse Estate", at land formerly of Michael & Karen Marie Gemelli, now or formerly, of Brian P. & Kathleen M. Beringer, as described in a deed recorded with Worcester District Registry of Deeds at Book 15360, Page 381;

Thence N. $20^{\circ} 45'$ W., 66 rods and 20 links, or 1102.20 feet, more or less, by land, now or formerly, of B.P. & K.M. Beringer, to the remains of a stake and stones at the northwesterly corner of Tract 1, and the northeasterly corner of land, now or formerly, of B.P. & K.M. Beringer, and at land, formerly of Ebenezer Parker, now of uncertain ownership;

Thence N. $75^{\circ} 45'$ E. 28 rods and 10 links, or 468.6 feet, more or less, at least partially by Tract 2 as described below, but also perhaps partially by land formerly of Ebenezer Parker on the westerly end, and perhaps partially by land formerly of Jonas Roper known as the "Roper Farm", on the easterly end, to a point at the northeasterly corner of Tract 1, at land formerly of Jonas Roper, later of John Chandler, and now or formerly, of Arthur C. & Shirley J. Hubbard;

Thence S. about 39° E., 675.18 feet, more or less, by the westerly line of the "Roper Farm", land now or formerly, of A.C. & S.J. Hubbard, to a drill hole set in a stone wall corner, at land formerly of

the Devisees under the will of Wanda Delong Warren, now of the Commonwealth of Massachusetts, Metropolitan District Commission, as described in an order of taking dated August 17, 1993, recorded with said Deeds at Book 15475, Page 315;

- Thence S. 39° 23' 07" E., 654.40 feet, by the stone wall and land formerly of the Warren heirs, to a drill hole set;
- Thence S. 39° 45' 39" E., 444.17 feet, by the stone wall, to a drill hole set at an angle in the stone wall, adjoining a barway;
- Thence N. 76° 42' 44" E., 631.82 feet, through the barway and by the continuation of the stone wall, to another drill hole set;
- Thence N. 76° 40' 29" E., 319.61 feet, by the stone wall, to a drill hole set;
- Thence N. 76° 39' 29" E., 132.46 feet, by the stone wall, to a drill hole set in a wall corner;
- Thence S. 32° 31' 37" E., 253.09 feet, by the stone wall, to a drill hole set;
- Thence S. 32° 14' 06" E., 204.33 feet, by the wall, to a drill hole set;
- Thence S. 32° 34' 58" E., 168.56 feet, by the stone wall, to a drill hole set in a wall corner, at a point in the northwesterly line of land, formerly of G.R.C. Associates (Richard H. Clark & R. Craig Reynolds), and now of the Commonwealth of Massachusetts, Metropolitan District Commission, as described in an order of taking recorded with said Deeds at Book 15475, Page 299, the last eight courses being by land, formerly of the Devisees under the will of Wanda Delong Warren, now of the Commonwealth of Massachusetts, MDC;
- Thence S. 09° 26' 20" E., 619.99 feet, by the stone wall, to a drill hole set;
- Thence S. 08° 31' 11" E., 322.33 feet, by the stone wall, to a drill hole set, at or near the northwesterly line of a New England Power Company 125 foot wide power line easement, as described in deeds recorded with said Deeds at Book 4127, Page 499 and Book 4132, Page 577;

- Thence S. 08° 46' 10" E., 359.85 feet, by the stone wall and through the power line easement, to a drill hole set;
- Thence S. 08° 26' 30" E., 276.22 feet, by the stone wall, to a drill hole set in a wall corner, formed by the intersection of three wall segments, and at other land taken for the Commonwealth of Massachusetts, by the Metropolitan District Commission, from owner unknown, in an order of taking recorded with said Deeds at Book 15475, Page 320, (note that the principals of G.R.C. Associates, Richard H. Clark & R. Craig Reynolds, claim to be the former owners of this abutting parcel), the last five courses being by land, formerly of G.R.C. Associates, now of the Commonwealth of Massachusetts, MDC;
- Thence S. 69° 04' 27" W., 331.39 feet, by and through stone wall segments and the remains of a wire fence, to a drill hole set at a corner, at the northerly end of the remains of a stone dam known as "Benthal's Dam";
- Thence S. 15° 09' 37" E., about 37 feet, more or less, by the face of the remains of "Benthal's Dam", to a point in the center line of East Wachusett Brook, the last two courses being by land of the Commonwealth of Massachusetts, MDC, taken from owners unknown, as referenced above;
- Thence Westerly and Northerly by the centerline of the Brook, as it runs, about 80 rods, or 1320 feet, more or less, until it comes to the westerly corner of the "Keyes Lot";
- Thence Westerly, still by the center line of East Wachusett Brook, until it comes to a large rock in the south side of said brook, being a few rods southerly of the clothiers shop, formerly belonging to Ebenezer Parker, Jr.;
- Thence N. 23° 30' E., 3 rods or 49.5 feet, more or less, by land, formerly of Ebenezer Parker, Jr., now of uncertain ownership, to a stake and stones;

Thence Northwesterly, by land, formerly of Ebenezer Parker, Jr., by and through the stone wall first mentioned, to the southeasterly corner of the excluded Lot 1, being the point and place of beginning.

Containing, by estimation, from prior deed area, with deductions for surveyed areas sold out or excluded from Tract 1, an area of 90.681 acres, more or less.

Tract 2

A certain tract of meadow land, situated in the said Town of Princeton, containing four acres, more or less, lying northerly of and adjoining that portion of the farm described above as Tract 1, bounded easterly by land, formerly of Jonas Roper, the "Roper Farm", later held by John Chandler, and, now or formerly, of Arthur C. & Shirley J. Hubbard, southerly, by Tract 1 as described above, westerly, by land formerly of Ebenezer Parker, and northerly, by land, formerly of Ephraim Chandler, now of uncertain ownership (note, this last named abutter's land may have been devised to Arthur C. Hubbard in the will of John Chandler, Worcester County Probate Docket No. 65690B, devise included the "Roper Farm" of 84 acres, more or less, the "Fairbanks Pasture" of 32 acres, more or less, the "Rawson Lot" of 14 acres, more or less, and "all the land between the Roper Farm and West Sterling").

Containing, four acres, more or less, by prior deed description.

The total area of both tracts of land, described herein and intended to be taken hereby, is estimated to be 94.681 acres, more or less.

Lot 1, a parcel of 13.28 acres, excluded from the taking of Tract 1 above, is shown upon a plan entitled "Land In Princeton, Mass. Surveyed For Albert J. and Josephine M. Calcia", dated July 1999, prepared by David E. Ross, Associates, Inc., David Edward Ross, P.L.S., a reduced copy of which plan, labeled EXHIBIT A EXCLUSION PLAN is appended hereto and made a part of this order.

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3903rd
Aug.19,1999
(con.-)

The following record plans were consulted in the construction of the description of Tract 1 set forth above:

A plan entitled "Plan Of Land In Princeton, Mass. Owned By Albert & Josephine Calcia To Be Conveyed To Michael & Jacqueline Calcia", dated September 16, 1982, prepared by Rice Engineering, John R. Lonergan, R.L.S., which plan is recorded with said Deeds as Plan 79 in Plan Book 501. (See accompanying deed recorded with said Deeds at Book 7612, Page 219.)

A plan entitled "Plan Of Land In Princeton Owned By David & Jeanne Calcia", dated April 24, 1972, prepared by Commonwealth Survey Corporation, R. F. DeFalco, P.L.S., which plan is recorded with said Deeds as Plan 75 in Plan Book 366.

In addition, the following three sheet set of plans prepared for the Metropolitan District Commission, and on file with the Office of the General Counsel, at MDC Headquarters, 20 Somerset Street, Boston MA, was used in the construction of the description of Tract 1 set forth above:

A plan entitled "Commonwealth Of Massachusetts Metropolitan District Commission Division Of Watershed Management Princeton (Worcester County) Mass. Land Taking Plan For Watershed Protection", dated June 18, 1992, prepared by Schofield Brothers, Inc., David W. Humphrey, P.L.S., Schofield Bros. Plan No. 17114, which three sheet set of plans are to be recorded with said Deeds, at a later date.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Town Farm Road and/or East Wachusett Brook, which may be held by the supposed owners as a result of their ownership of the above described premises, and being most of the same premises described in a deed from Murton Biathrow to Albert J. Calcia and Josephine M. Calcia, dated 15 November 1966 and recorded with Worcester District Registry of Deeds at Book 4717, Page 253.

The above described property is represented upon Princeton Assessors Tax Map 13 as most of Parcel 22.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS

AWARD

Albert J. Calcia and
Josephine M. Calcia

\$ 550,000.00

The Commission further V O T E D: to approve an award of damages in the amount of \$550,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1.

Report of Mr. Gray, August 16, recommending that the Commission approve a payment in the amount of \$60,000.00, in settlement of all claims as released by Nondas Lagonakis, et al, Trustees of N & C Realty Trust, for the acquisition by an Order of Taking by the Commission of approximately 1.428 acres of land located in the City of Lynn, and to authorize the expenditure of an amount not to exceed \$290,000.00, as withheld pursuant to the vote of the Commission on June 22, 1995, to complete appropriate environmental remediation on site, and to further dedicate or otherwise name the park parcel so acquired by the Commission in 1995, to honor the former owners in a reasonable and appropriate manner.

(Funds from any account(s) deemed appropriate by the Finance Office).

The Commission V O T E D: to approve a payment in the amount of \$60,000.00, in settlement of all claims as released by Nondas Lagonakis, et al, Trustees of N & C Realty Trust, for the acquisition by an Order of Taking by the Commission of approximately 1.428 acres of land located in the City of Lynn.

The Commission further V O T E D: to authorize the expenditure of an amount not to exceed \$290,000.00, as withheld pursuant to the vote of the Commission on June 22, 1995, to complete appropriate environmental remediation on site.

The Commission further V O T E D: to dedicate or otherwise name the park parcel so acquired by the Commission in 1995, to honor the former owners in a reasonable and appropriate manner."

2.

Report of Mr. Gray, August 16, recommending that the Commission approve a payment in an amount not to exceed \$2,000.00, in settlement of all claims as released by the Estate of Albert A. Swanson, Shirley Swanson, Kristine Swanson, Victoria Swanson Donovan, and all heirs and assigns, and Joseph Bayles, auctioneer and consignee, for goods and material to be returned to the Commission, as inventoried by Peter E. Flynn, Esq., and MDC staff.

(Funds from any account(s) deemed appropriate by the Finance Office).

The Commission V O T E D: to approve a payment in an amount not to exceed \$2,000.00, in settlement of all claims as released by the Estate of Albert A. Swanson, Shirley Swanson, Kristine Swanson, Victoria Swanson Donovan, and all heirs and assigns, and Joseph Bayles, auctioneer and consignee, for goods and material to be returned to the Commission, as inventoried by Peter E. Flynn, Esq., and MDC staff.

Adjourned at 9:45 a.m., to meet on Thursday, September 2, 1999, at 9:00 a.m.

William F. Cusack
S e c r e t a r y

Record of the Three Thousand Nine Hundred and Fourth (3904th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 2, 1999 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr Elkort, Rollins and Sheppard.

The Records of the Commission Meeting held on August 12, 1999 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, August 25, recommending approval of an extension of time from September 2, 1999 to October 30, 1999, as requested by N. E. L. Corporation, Contractor on Contract No. P99-1992-C1A, for Remedial Repairs to Beades Drawbridge, Boston, due to delay in ordering materials and obtaining approval from Boston Water and Sewer to make a new connection to their water pipe.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from September 2, 1999 to October 30, 1999, as recommended by Messrs. Faucher and Lenhardt in their report of August 25, 1999, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
2. Report of Messrs. Faucher, Carrigan and Machado, August 30, recommending approval of revisions in quantities on the following items on Contract No. P99-2019-C1A, with D'Allesandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Parks System -

| | |
|---------------------------------------|-------------|
| Item No. 020-010 | \$ 450.00 |
| Reset Closure Gate - Lock Post | |
| Item No. 063-010 | \$18,910.80 |
| Vinyl Clad C.L.F. 10 Ft. High | |
| Item No. 082-010 | \$ 7,714.68 |
| Vinyl Clad C.L. Back-Stop 12 Ft. High | |

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 062-010 - Furnish, Install, Repair or Replace Galvanized Chain Link Fence 10 Feet High, 075-010 - Furnish, Install, Repair or Replace Boston Pattern Fence, 076-010 - Furnish, Install, Repair or Replace Embankment Fence, 078-010 - Furnish, Install Repair or Replace Steel Picket Fence 5 Feet High to 6 Feet High and Item No. 083-010 - Furnish, Repair or Replace 6 Gauge Black Vinyl Clad Chain Link Fence 1 Inch Mesh 8 Feet High).

The Commission V O T E D: Approved.
3. Report of Mr. Faucher and Mrs. Graves-Jones, August 23, recommending approval of a revision in quantities on Item No. 002-010 - Materials, Components, Parts and Controls, on Contract No. P98-1925-M1A, with Coviello Electric and General Contracting

Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
Funding from Account No. 2490-0010.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Carrigan and Machado, August 30, recommending approval of revisions in quantities on the following items on Contract No. P99-2017-C1A, with D & R General Contracting Inc./MDR Construction Co., Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District -

| | |
|------------------------------|-------------|
| Item No. 037-010 | \$ 3,000.00 |
| Bituminous Concrete Curb | |
| Item No. 045-010 | \$ 1,000.00 |
| Bridge Deck Concrete Exc. | |
| Item No. 046-010 | \$ 2,450.00 |
| Rapid Setting Concrete Comp. | |
| Item No. 047-010 | \$12,968.00 |
| Expansion Joint Replacement | |

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 001-010 - Unclassified Excavation and 008-010 - Bituminous Concrete Patching).
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher and Haider, August 17, recommending the following on Contract No. P97-1916-M1A, with P. J. Kennedy & Sons, Inc., for Servicing of HVAC Systems at Various MDC Facilities Within the Metro Parks System -
 - (a) That work be accepted as completed as of June 30, 1999.
 - (b) That Estimate No. 22 (Final), in the amount of \$34,010.16, be approved for payment.
 - (c) That reserve, in the amount of \$10,648.59, be approved for payment.

(Basis of Award - \$151,000.00)

(Amount to Date - \$303,596.73)

(Contract Performance Rating - 90 with 100 being excellent)

(EEO Compliance - 2.80)

The Commission V O T E D: that the work of P. J. Kennedy & Sons, Inc., Contractor under Contract No. P97-1916-M1A, be and hereby is accepted as completed as of June 30, 1999.
The Commission further V O T E D: to approve Estimate No. 22 (Final), in the amount of \$34,010.16, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$10,648.59, for payment.
3. Report of Messrs. Faucher and Thurlow, August 17, requesting approval of funding for Project No. P93-1678-X8A, the procurement of materials and services to construct the MDC exhibit for the year 2000 Massachusetts Horticultural Society Spring Flower Show. Funding not-to-exceed - \$30,000.00.
Account No. 2448-0052.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Thurlow in their report of August 17, 1999.
4. Report of Messrs. Faucher and Thurlow, August 5, recommending the

following on Contract No. P97-1870-C5A, with D & R General Contracting/MDR Construction Co., Inc., for Playground Reconstruction at Pearce Lake, Breakheart Reservation, Saugus -

- (a) That work be accepted as completed as of July 15, 1998.
- (b) That Estimate No. 5 (Final), in the amount of \$1,619.83, be approved for payment.
- (c) That reserve, in the amount of \$4,930.14, be approved for payment.

(Basis of Award - \$94,000.00)

(Amount to Date - \$98,602.50)

(Contract Performance Rating - 3.60)

(EEO Compliance - not available)

The Commission V O T E D: that the work of D & R General Contracting/MDR Construction Co., Inc., Contractor under Contract No. P97-1870-C5A, be and hereby is accepted as completed as of July 15, 1998.

The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of \$1,619.83, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$4,930.14, for payment.

1. Report of Messrs. Faucher and Thurlow, August 5, recommending the following on Contract No. P97-1870-C4A, with D & R General Contracting/MDR Construction Co., Inc., for Reconstruction of Murphy Playground, Foss Park, Somerville -

- (a) That work be accepted as completed as of July 19, 1998.
- (b) That Estimate No. 6 (Final), in the amount of \$855.02, be approved for payment.
- (c) That reserve, in the amount of \$9,771.23, be approved for payment.

(Basis of Award - \$187,300.00)

(Amount to Date - \$195,424.89)

(Contract Performance Rating - 3.60)

(EEO Compliance - not available)

The Commission V O T E D: that the work of D & R General Contracting/MDR Construction Co., Inc., Contractor under Contract No. P97-1870-C4A, be and hereby is accepted as completed as of July 19, 1998.

The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of \$855.02, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of \$9,771.23, for payment.

2. Report of Messrs. Faucher and Terzian, August 23, submitting for approval and execution Joint Funding Agreement with the United States Department of the Interior, Geological Survey, Contract No. P98-1530-M8A, for Gaging Stations within the Charles and Mystic Rivers.

Time for Performance - October 1, 1999 to September 30, 2000.

MDC Share - \$31,960.00 for Federal Fiscal Year 2000.

Account No. 2440-0010-TT.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract No. P98-1530-M8A, dated September 2, 1999, with the United States Department of the Interior, Geological Survey, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Division of Watershed Management:

1. Report of Mr. McGinn and Miss Austin, August 13, recommending the following on Contract No. WM98-028-S1A, with University of Massachusetts at Amherst, Division of Civil and Environmental Engineering, for Water Quality in MDC Reservoirs: Organic Matter, Algae and Modeling -
 - (a) That Contract No. WM98-028-S1A, be accepted as terminated as of June 30, 1999.
 - (b) That Invoice No. 529596-13 (Final), in the amount of \$2,372.72, be approved for payment.
(Basis of Award - \$207,833.00)
(Amount to Date - \$113,557.58)
(Contract Performance Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that Contract No. WM98-028-S1A, with University of Massachusetts at Amherst, Division of Civil and Environmental Engineering, for Water Quality in MDC Reservoirs: Organic Matter, Algae and Modeling, be accepted as terminated as of June 30, 1999.

The Commission further V O T E D: to approve Invoice No. 529596-13 (Final), in the amount of \$2,372.72, for payment.

2. Report of Mr. McGinn and Miss Austin, August 13, recommending the following on Contract No. WM98-026-S1A, with University of Massachusetts at Amherst, Division of Civil and Environmental Engineering, for Development of Methods to Differentiate Microorganisms in MDC Reservoir Watersheds -
 - (a) That work be accepted as completed as of June 30, 1999.
 - (b) That Invoice No. 529592-13 (Final), in the amount of \$286.31, be approved for payment.
(Basis of Award - \$99,749.00)
(Amount to Date - \$94,429.54)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of the University of Massachusetts at Amherst, Division of Civil and Environmental Engineering, Contractor under Contract No. WM98-026-S1A, be and hereby is accepted as completed as of June 30, 1999.

The Commission further V O T E D: to approve Invoice No. 529592-13 (Final), in the amount of \$286.31, for payment.

Action was taken upon the following Various Matter:

3. Report of Mrs. O'Brien and Mr. Corsi, August 20, requesting approval of Amendment No. 1, to Contract Agreement No. PL99-059-D1A, with Mills Whitaker Architects, LLC, for the Restoration of Historic Landings, Charles River Esplanade, Boston, which extends time from August 31, 1999 to December 31, 1999, due to the need to complete Phase I Construction Documents and Permitting.
(At no additional Contract cost).
The Commission V O T E D: Approved.

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Adjourned at 10:05 a.m., to meet on Thursday, September 9, 1999,
at 9:00 a.m.

William F. Churchill
S e c r e t a r y

Weston's
WINCHESTER
LEDGER
50% COTTON FIBER

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39045H
Sept. 2, 1939

Adjourned at 10:03 a.m., to meet on Thursday, September 7, 1939,
at 9:00 a.m.

William I. Smith
Secretary

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